

March 15, 1967

CONGRESSIONAL RECORD — SENATE

S 3835

Welfare and the National Aeronautics and Space Administration, which he said are about to begin, in using communications satellites for an educational television network. Further progress will be achieved if Congress accedes to the President's recommendation for congressional hearings on related issues of public policy.

Whether the full scope of the Carnegie commission's proposal—which is broader than Mr. Bundy's—can be realized will depend on support of the proposed tax on television sets or some other means of raising comparable revenue. At this beginning stage the President's broad support of the corporation idea is a constructive impetus. We hope Congress is equally aware that our country has "only begun to grasp the great promise" of television, and equally concerned for that promise's fulfillment.

[From the New York Times, Mar. 4, 1967]

TELEVISION FOR THE PEOPLE

President Johnson has responded swiftly and constructively to the proposals of the Carnegie Commission and the Ford Foundation for Federal action to spur the growth of educational television.

In his message to Congress the President wisely steers clear of any attempt to preordain the shape of a noncommercial television system, the relative degree of responsibility to be allocated to network or individual stations or the sources of financial support.

Instead, he proposes the establishment of a Corporation for Public Television, with fifteen board members to be appointed by the President but to operate free of Government control. By emphasizing that diversity is the key to effectiveness for the new medium, Mr. Johnson makes it plain that he puts at least as much stress on the development of strong community stations as he does on a central apparatus to rival the established networks.

The \$10-million grant the Ford Foundation has made available to finance "imaginative experiments" next fall in noncommercial network programs will provide a demonstration of the potentialities on the network side. The hope must be that some comparable source of private financing will be found soon for comparable experiments in originality and service by community TV stations.

Out of such demonstrations can come valuable guides to the Johnson-proposed commission on the kind of interrelations that will best serve the end of "excellence within diversity" set forth so persuasively in the Carnegie report. The caliber of the commission's own members and, equally important, of its choice for executive director will determine how useful a contribution it makes to shaping intelligent public policy in a field of limitless possibilities for cultural enrichment and public enjoyment.

MIAMI, FLA., HERALD ENDORSES INTERSTATE LAND SALES FULL DISCLOSURE ACT OF 1967

Mr. WILLIAMS of New Jersey. Mr. President, the Miami, Fla., Herald has, over the years, taken a leading role in exposing unscrupulous real estate promoters who sell undeveloped land across State lines. Only last year Fred Fogarty the Herald's real estate editor testified at hearings before the Senate Banking and Currency Committee on the need for additional consumer protection legislation in this area—both on the State and Federal levels.

I believe, therefore, that the Herald's editorial of March 1, 1967, entitled "It's Time United States Moved in on Piracy in Land Sales," will be of great interest to all Members of this body.

In its editorial which endorses the Interstate Land Sales Full Disclosure Act, the Herald declares that—

Even in states that have passed laws to protect the public, such as Florida, the job is not getting done. As we have pointed out so often in this business of states' rights, what the states refuse to do, the federal government will do.

The Herald ends its editorial by stating:

What Sen. Williams hopes to enact is a law patterned after the Securities Acts of 1933 and 1934 that brought a level of honesty to the stock market. Those laws offer the public protection through full and accurate information on which to make investment decisions.

The Wall Street bucketshops have been outlawed. It is time to do the same with the land pirates.

I believe the Senate should have the benefit of the full text of this informative commentary; therefore, I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Miami Herald, Mar. 1, 1967]

IT'S TIME UNITED STATES MOVED IN ON PIRACY IN LAND SALES

There are 28 states without legislation to deal with the land pirates who separate people from their money in exchange for a piece of unusable real estate in the middle of a swamp, a desert, a flood control area, the side of a mountain or a remote arid plateau.

Yet even in states that have passed laws to protect the public, such as Florida, the job is not getting done. As we have pointed out so often in this business of states' rights, what the states refuse to do, the federal government will do.

That is the reason for the hearings that opened yesterday on the proposed Interstate Land Sales Full Disclosure Act. Spearheaded once again by Sen. Harrison Williams Jr. of New Jersey, this is an effort to establish effective authority over mail order land sales to protect both the buyer and the legitimate seller against loss and injury.

Evidence of widespread misrepresentation has been obtained by the Senate's subcommittee on frauds affecting the elderly. It is the person looking for an idyllic retirement home who so often falls victim to the swamp peddler.

And Florida, despite its Installment Land Sales Board, has more than its share of the sleazy types who promise a paradise in the sunshine and deliver an inaccessible or unusable tract of swampy wilderness.

Certainly it is true that the Florida law demands that a property report be delivered to the purchaser. It is also true that many people put up a down payment despite availability of a report disclosing that the land is subject to flooding 80 per cent of the year, that drainage is not feasible, that mortgaging would be difficult.

But what happens to the concept of property report disclosure when a bucketshop operation is set up and the customer is romanced by long-distance telephone with phony stories of oil discoveries and expected price increases? These are the sharp practices that Florida's law now countenances.

What Sen. Williams hopes to enact is a law patterned after the Securities Acts of 1933 and 1934 that brought a level of honesty to the stock market. Those laws offer the public protection through full and accurate information on which to make investment decisions.

The Wall Street bucketshops have been

outlawed. It is time to do the same with the land pirates.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER (Mr. HOLLINGS in the chair). Is there further morning business? If not, morning business is concluded.

Consensus

CONSULAR CONVENTION WITH THE SOVIET UNION

The PRESIDING OFFICER. The Chair lays before the Senate the pending business, which will be stated.

The ASSISTANT LEGISLATIVE CLERK. A Consular Convention between the United States of America and the Union of Soviet Socialist Republics, together with a protocol relating thereto, signed at Moscow on June 1, 1964 (Ex. D., 88th Cong., second sess.).

The Senate resumed the consideration of the convention.

The PRESIDING OFFICER. The pending question is on agreeing to executive reservation No. 2, offered by the Senator from South Dakota (Mr. MUNDT) and other Senators.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum, with the time to be taken out of this side.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I yield 10 minutes to the distinguished Senator from Ohio (Mr. Young).

Mr. YOUNG of Ohio. Mr. President, I rise to express opposition to the pending reservation and to any reservation that would indefinitely postpone or kill the Consular Treaty, which should be ratified by the Senate. I plead for ratification as I did some years back for the limited nuclear test ban treaty achieved by our late, great President John F. Kennedy, with the help of our present Ambassador at Large, Averill Harriman.

In his plea for ratification of the limited test ban treaty, President John F. Kennedy said:

According to the ancient Chinese proverb, "A journey of a thousand miles must begin with a single step." My fellow Americans, let us take that first step. Let us, if we can, get back from the shadows of war and seek out the way of peace. And if that journey is one thousand miles or even more, let history record that we in this land at this time took the first step.

Mr. President, we all recall that prior to ratification of this Limited Nuclear Test Ban Treaty there were many who gave out dire warnings that it would mean capitulation to the Russians, that it would be a threat to American security, that they would immediately violate it, and so forth. Now, we have heard similar arguments from those opposing ratification of the Consular Treaty with the Soviet Union—from those maintaining that this treaty is not in the best inter-

S3836

CONGRESSIONAL RECORD — SENATE

March 15, 1967

ests of the United States. Very definitely this treaty is in the best interest of our country. In addition, we have all been subjected to a forceful blitz of propaganda attacking this proposed Consular Treaty, instigated by extremist rightwing groups such as the Liberty Lobby, the John Birch Society, and others of that ilk.

Mr. President, I doubt that there is one among us who would maintain that the limited nuclear test ban treaty has in any way endangered the security of the United States in the 3½ years it has been in effect. In fact, having reduced the dangers of radioactive fallout, it has been highly beneficial and reassuring to the people of the United States, as well as to people the world over. Similarly, we would all find 2 or 3 years from now—even 6 months from now—that the Consular Treaty with the Soviet Union will also be of benefit to citizens of the United States.

Mr. President, some in this Chamber, realizing that they will be unable to prevent ratification of the treaty, have resorted to other means which would literally cancel the effectiveness of the treaty and in fact postpone its operation indefinitely. Such is the second reservation proposed by the senior Senator from South Dakota (Mr. MUNDT). His reservation, which would literally postpone the treaty's becoming operative until the end of our involvement in the war in Vietnam, would mean, in effect, the destruction of the treaty. His argument, that it is more important to protect the 500,000 boys in Vietnam than to protect a few American citizens traveling in the Soviet Union, is a complete non sequitur. This treaty, whether it is ratified as submitted to the Senate or with such a reservation, would not in any way affect the conduct of the war in Vietnam. Very definitely, I feel that the Senator from South Dakota and those others who are using this kind of argument are appealing to irrational claims of the type which always flourish in time of war.

In the course of this debate some of those expressing vigorous opposition to our ratification of the Consular Convention have even asserted that the Russians have violated every treaty they have made with this country. Very definitely this is not true. Admittedly, while the cruel tyrant Stalin was dictator of the Soviet Union, he was constantly threatening aggression and violating agreements he made. The Soviet Union during his regime blockaded Berlin, posed a threat to Western Europe, and its leaders made belligerent statements and rattled their nuclear weapons. The two great Communist powers, China and the Soviet Union, seemed allied against the free world. That was many years ago. Stalin is no longer the dictator of the Soviet Union; yet, too many people think our foreign policy should be based today on what occurred 20 years ago following World War II.

Times have changed. The Soviet Union, now a "have" nation instead of a "have not" nation, is definitely veering toward capitalism. Russian leaders of the Kremlin appear to genuinely seek friendship with nations of the free world

and they speak of coexistence instead of coannihilation. Along its 6,500-mile common border with Red China, the Soviet Union has been massing additional divisions of its troops. Bitterly hostile statements during recent months have come out of Peking denouncing the leaders of the Kremlin, and the antagonism between the Soviet Union and Communist China seems to be increasing and has been accompanied by violence and turbulence in some areas close to the common border. Also Premier Kosygin has repeatedly and violently denounced Communist leaders of mainland China.

Mr. President, in October 1964, I did not often find myself in agreement with the distinguished Senator from Arizona, Mr. Goldwater. However, I recall at that time he made what I consider to be a very wise statement when he stated that within 10 years, if the United States should be at war with Red China, the Soviet Union would be fighting as an ally on the side of the United States against Red China.

Obviously it would be a grave mistake were we to reject ratification of this Consular Treaty. Very definitely the negotiations for this treaty, which extended over a period of several years and were carefully and intelligently conducted by our officials, who proposed this treaty to Soviet leaders, should result in ratification. The Soviet Union is obligated under this treaty to commitments highly advantageous to the many thousands of American tourists who will be traveling each year in the Soviet Union. In that regard, only a few hundred Soviet citizens visit the United States annually. The total this year of American tourists visiting Russia may exceed 18,000. The total of nationals of the Soviet Union visiting our country this year will certainly be fewer than 2,000. This treaty is much more in our national interest than in the interest of the Soviet Union.

Patrick Henry on a historic occasion, as recorded in our colonial history of which we are so proud, said:

There is but one lamp by which my feet are guided. That is the lamp of experience. I know of no way to judge the future except by the past.

Concerning the Limited Nuclear Test Ban Treaty, the facts are the Soviet Union has meticulously complied with its obligations. Since ratification of that treaty, there has never been a whisper of any alleged violation on the part of the Soviet Union. Surely there is every reason to believe that the provisions of this treaty will be respected and complied with.

It is interesting to note that at the recent parliamentary election in the Soviet Union, Vyacheslav Molotov, who was the internationally known spokesman for Stalin throughout his years of power, when he walked publicly in Moscow to the polling place where he and Nikita Khrushchev both voted, received no cheers, no greeting whatsoever from the assembled Russians but was looked on somewhat disdainfully by the citizens gathered to vote or to look at celebrities who were expected to vote. In the few years following the close of World War II, Molotov was the right-hand man and

enforcer of the tyrannical Premier Josef Stalin.

The low regard that leaders of the free world held toward him at the time and in retrospect seems matched by the present low regard and in fact contempt of Russian citizens. At the same time Nikita Khrushchev, who became Premier of the Soviet Union a considerable number of years following the death of Stalin, was cheered and greeted enthusiastically and affectionately by thousands of Russian men and women. Former Premier Nikita Khrushchev appeared surprised and happy over the enthusiastic and most cordial greeting. According to newspaper reports he doffed his hat and said, "Let there be peace."

We take an important step toward world peace in ratification of this Consular treaty.

Peace hath her victories no less renowned than war—

Wrote John Milton many years ago. It is even more true now than then. The great German poet, Frederic von Schiller, wrote:

Peace is rarely denied to the peaceful.

Our late great President John F. Kennedy said:

While maintaining our readiness for war, let us exhaust every avenue for peace. Let us always make clear our willingness to talk if talk will help and our readiness to fight if fight we must.

Mr. President, the benefits of this Consular Treaty are great. For us to ratify this treaty would be a small step forward on the "journey of 1,000 miles." To change or amend it with crippling reservations would indefinitely postpone it and in fact would prove to be a rejection of the treaty. Were we to do this it would be taking a step backward instead of forward on that 1,000-mile journey toward permanent peace.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. To whom will the time be charged?

Mr. MANSFIELD. On this side.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. I yield myself 10 minutes. Now that the Chamber is crowded, I think it is appropriate to make my remarks in opposition to the pending reservation. [Laughter.]

Mr. President, the reservation proposed by the distinguished Senator from South Dakota stipulates that instruments of ratification shall not be exchanged until the President determines and reports to Congress that it is no longer necessary to assign American forces to combat duties in South Vietnam, or that removing American forces from South Vietnam is not being prevented or delayed because of military assistance being furnished by the Soviet Union to North Vietnam.

March 15, 1967

CONGRESSIONAL RECORD — SENATE

S3837

Does the Senator from South Dakota really believe that the Soviets are so anxious to have the Consular Convention enter into force that they would be willing to reduce their support to North Vietnam? As I have pointed out before, we wanted the Consular Convention in the first place and we still want it—and want it now—because it provides for the increased protection of American citizens traveling in the Soviet Union. It is unrealistic, at best, to expect the Soviets to make a concession to us in order to obtain ratification of a treaty that we are more anxious to have than they are, and that appears to be more to our advantage than to theirs.

The obvious effect of this reservation would be to strain our relations with the Soviet Union still further. It is quite true that the Soviets are supplying military assistance to North Vietnam. North Vietnam is a socialist country, and thus an ideological ally of the Soviet Union. But it is also obvious that we are providing not only military assistance but also half a million men to our ally, South Vietnam; and our military assistance to South Vietnam predates Soviet assistance to North Vietnam, and is much greater.

The reservation is not designed to bring the war in Vietnam to an end. I only wish that it could. If it would, I would be the first to vote for it. But to pretend that there is the slightest chance that any action we take on the Consular Convention would have this result is, I think, either a delusion or a deception. Nor is the reservation intended to show the Soviets our concern over the situation in Vietnam—a concern that they know and understand very well. The purpose of this reservation is, purely and simply, to kill the treaty.

There are some in the Senate who want to kill the Consular Convention because they are opposed to ratifying this agreement with the Soviets—or any agreement with the Soviets—on the ground that such action will be regarded as a mark of confusion by our allies and as a confession of weakness by our enemies. I repeat at this point a paragraph from the statement made on the floor by the Senator from Arkansas, the chairman of the Committee on Foreign Relations [Mr. FULBRIGHT], on March 7. He said:

It is difficult for me to understand and accept the fact that there are some in the Senate who, given an opportunity to improve relations in some small way with the Soviet Union and of reducing the tensions that exist in our relations with that country, prefer that we not do so but that instead we keep relations frozen and tensions highly charged. I would certainly understand this attitude if it were motivated by an opposition to appeasement—that is, if this convention, or any of the East-West measures that I have mentioned represented a sacrifice to the Soviets designed to mollify them. But I cannot understand why any Senator would hesitate to seize an opportunity to voice his approval for an agreement with the Soviet Union which offers us certain benefits in protecting American citizens traveling in the Soviet Union which we sought in the first place. I do not see how ratifying such an agreement could be construed as a mark of confusion or a confession of weakness. On the contrary, if I were the leader of

North Vietnam I would be concerned at any sign of a *rapprochement* between an ally on whom I depended heavily and my opponent, especially if my ally and my opponent were the two most powerful countries in the world. And if I were an ally of the United States it would worry me to see the United States spurn an opportunity to reduce the tensions which might, if they are not reduced, lead to a conflict in which I might become involved simply because I was an ally of one of the protagonists.

The United States and the Soviet Union are the two most powerful countries in the world. We must be able to regulate our normal affairs, as we have in the past 6 months by signing a Civil Air Transport Agreement and an agreement on fishing problems in the northeast part of the Pacific Ocean—both Executive agreements, I should add. Surely our objective in our relations with the Soviet Union—or with any other state—should be to reduce the areas of disagreement and enlarge the areas of agreement—not to permit our disagreements to widen and to embrace every aspect of our relations with the other most powerful nation in the world today.

Mr. President, I understand that references were made yesterday, in response to the argument raised about affording protection to 18,000 Americans in the Soviet Union, in relation to the importance of protecting the 500,000 men in Vietnam, or adjacent to it, and a correlation was made between the 18,000 and the 500,000, and the effects that the convention might have on them.

What was not brought out yesterday was the point that the inclusion of a reservation tying the treaty to ending the hostilities in Vietnam, or even defeating the treaty, would not accelerate by 1 day the conclusion of the war in Vietnam.

I can only say that refusal to ratify this treaty or even to postpone its provisions and protections until the war in Vietnam is concluded would be simply a rejection of protection which, under the agreement now before the Senate, could be afforded to the projected 18,000 or more Americans who would be traveling in the Soviet Union this year, without improving the lot of one single person of the 500,000 now located in and around Vietnam.

Mr. President, in response to my request, I have also received another letter from the Secretary of State, relative to the pending reservation No. 2.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. MANSFIELD. I yield myself 5 additional minutes.

The letter is dated March 14, and is addressed to me. It reads as follows:

In response to your inquiry, I am pleased to give the viewpoint of the Department of State regarding a proposed reservation to the US-USSR Consular Convention now before the Senate.

This reservation would provide that the Consular Convention would not enter in force until the President advises Congress that there is "no longer a need for U.S. Forces in Viet-Nam" or that any war material and arms the Soviet Union is furnishing to North Viet-Nam are "not delaying or preventing a return of U.S. troops" from Viet-Nam.

This reservation would preclude or sub-

stantially delay the entry into force of the Consular Convention. We need the Convention now, and without delay, to secure some elementary rights of consular access and notification for American citizens present in the USSR.

Soviet nationals already enjoy the protections of the U.S. Constitution and of our legal system in a free society, should they be accused of a crime. But under present Soviet law, arrested persons can be held incommunicado for nine months or more during investigation of a criminal charge. The Consular Convention contains major "due process" concessions by the USSR. It specifies that U.S. officials will be notified immediately (within 1-3 days) when an American citizen is arrested or detained in the USSR, and it stipulates that these officials will be allowed to visit the American without delay (within 2-4 days), and it provides that access will be allowed on a continuing basis thereafter. These features will become operative without the opening of consulates.

As soon as this treaty is ratified and enters into force diplomatic officers now attached to our Embassy in Moscow who are notified to the Soviet Government as consular officers will have these important rights of notification and access, whether or not consulates are eventually opened as the result of separate negotiations.

Please do not hesitate to call on me if I can provide any further information or assistance.

So I would say in conclusion that we ought to separate the question of a consulate or consulates in both countries from the question of the protection of the projected 18,000 or more Americans who will visit the Soviet Union this year.

The right to establish consulates is not before the Senate. That is a prerogative of the executive branch, and if it is done it will be done on a determination by the President. But the question of protecting American citizens in the Soviet Union is before the Senate, and that is the important factor of this convention before us.

The PRESIDING OFFICER. Who yields time?

Mr. MUNDT. Mr. President, I yield myself 10 minutes.

The PRESIDING OFFICER. The Senator from South Dakota is recognized for 10 minutes.

Mr. MUNDT. Mr. President, while the distinguished majority leader is still in the Chamber, I would like to comment on the statement he has just made, which statement represents very actively and vigorously, certainly, the administration's point of view on this treaty.

The first point the majority leader made was that the Soviets are not very anxious for this treaty and that therefore we could not utilize this reservation which is now before the Senate, executive reservation No. 2, as a tool in order to get from them certain concessions, because we want the treaty more than they do.

Mr. MANSFIELD. The Senator is correct.

Mr. MUNDT. The point is made that we want the treaty more than they do and consequently there would be no inducement for them to conform with the terms of the reservation.

Mr. President, it is undoubtedly true that the immunity feature of this provision in the treaty is something which the Russians want and which we are not

S3838

CONGRESSIONAL RECORD — SENATE

March 15, 1967

so desirous about. We are desirous of the other two aspects—notification and consultation. On the basis of that one unprecedented feature they want and insist upon, it was agreed at the conferences on the two features of notification and consultation that we want. But, there is something you and I know that they want more than anything we want, and something they want much more even than the immunity features of the treaty, and that is that they want the continuation and expansion of American exports to help shore up their staggering industrial economy.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. MUNDT. I yield.

Mr. MANSFIELD. Personally, I think that American exports to Eastern Europe and the Soviet Union could have a very good effect as far as we are concerned.

It is my understanding that the people in the Soviet Union are demanding more of their Government in the way of consumer goods.

Mr. MUNDT. The Senator is correct.

Mr. MANSFIELD. And if we can help to accelerate that demand, I think that we could lay the groundwork for a shift away from communism and thereby a shift toward capitalism, which I think would be in our interest.

Mr. MUNDT. I just do not see the relationship between those two, but I quite agree with the facts involved, that the consuming groups in Russia are eager to have additional consumer goods, and their country is unable to provide them, in part because communism is not a good, efficient, and effective economic and productive system, and primarily because, while they have developed some fine equipment and some good production plants, they are utilizing them primarily for making war supplies—war supplies which are being sent to Vietnam, in part, and war supplies which are being erected and constructed in Russia in part because of the uneasy and distrustful feeling which exists in terms of potential war between their part of the world and ours.

It is war equipment which is very expensive and difficult to make—for example, their antiballistic system around Moscow—so costly, in fact, that we in this country are importuned by the administration to say: "We can't afford to build one here." However, they are building one there. They have other kinds of intricate missile defense establishments, perhaps not as effective as their antiballistic system around Moscow, but they have them around in other areas and communities of the U.S.S.R. as well.

That, of course, puts a strain on their economy and makes it more difficult for them to satisfy their consumer goods, and because their consumers are becoming restive and because they are becoming embittered about the fact that they lag behind so much of the rest of the civilized world, the pressure is on the politicians in the Kremlin to make more consumer goods available to the Russian people.

If we make them available now to the Russians, that is important to them. It is something that they want and insisted

upon and something that they will endeavor to expand by means of the economic attachés who will come over with new the consulate or consulates.

We do have available in this reservation a diplomatic tool. We do have a negotiating wedge to use in saying to the Russians: "You want a treaty. We want a treaty. You want the immunity provision. This is advantageous to you, but if you want to have the economic trade attached to it you will have to curb or curtail your shipment of war supplies to Hanoi." And I hope the shipment of war supplies to Hanoi will be curbed. That is point No. 1.

This expectation is part of our reservation. It is something that we can use to get a concession from the Russians. And I think they can be induced, because I believe they desperately need this vast amount of exports that was opened up by President Johnson's Executive order of last October 12.

The Senator was correct when he said that we want the treaty. They want the immunity and we want the two features of notification and consultation.

Senators and constituents will have to weigh those two elements together to determine exactly who is getting the better of the deal; but in all events we get the right of notification and consultation for any of the 18,000 who might get in trouble over there—and they have averaged nine Americans per year. We get that and nothing else of importance to us.

I would relate those points to the fact that we have 500,000 Americans in Europe who are there in uniform and who are in big trouble in Vietnam because they are answering the call of the colors and responding courageously and bravely to the needs of the state.

I do not think, therefore, that it is either a delusion or a deception to believe that the reservation can help shorten the war. I think anything that can help slow down the shipment of equipment to the enemy in Vietnam—because they rely on these outside sources for their supplies—will tend to shorten the war.

I honestly believe that anything that makes it more probable, makes it more likely, makes it easier for the Russians to send war supplies to Vietnam will prolong the war. I cannot escape the conviction, because it seems to me as clear as the path to the country schoolhouse, that when we send supplies to the industrial economy of Russia, we free men, we free materials, we free machines to go into war production for their supply lines to Vietnam, whether we ship to them consumer goods or strictly non-consumer goods.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. MUNDT. I yield.

Mr. MANSFIELD. I point out, as the Senator well knows, that we are not discussing a trade convention. The matter before us has nothing to do with trade, nothing to do with the shipment of goods, but, purely and simply, is concerned with the protection of American citizens who may be traveling in the Soviet Union. Is that not a correct statement?

Mr. MUNDT. The Senator from Montana would have to modify that statement a little before I could give my affirmation to it. We would have to ask why they want a consular office in this country, in the first place. They want a consular office in this country, in the first place—and we would have a consular office in Russia—because it helps to stimulate economic trade. That is written into the treaty.

As the Senator from Oregon pointed out yesterday, all consular offices function in large part to help stimulate economic exchange between the two countries. In peacetime this might be good, but in wartime it expands the casualty lists suffered by American troops in Vietnam.

Mr. MANSFIELD. But this convention has nothing to do with the establishment of consulates either in the Soviet Union or in the United States. That, as I have attempted to indicate, is purely an Executive function which the President can put into force at any time.

Furthermore, before a consulate will be established in this country—if one is ever established—the Secretary of State has indicated that he will discuss this matter with the Committee on Foreign Relations, with the leadership on both sides of the Senate, with interested Senators, and with the chief municipal and State officers in any area where there is a possibility that a consulate will be established.

The PRESIDING OFFICER. The Senator's 5 minutes have expired.

Mr. MANSFIELD. Is that a correct statement?

Mr. MUNDT. That is a correct statement. I was in the room at the time of the hearing, when the Secretary made that statement, and I asked him this question:

That is interesting. Does that mean that if a consular office is to be established, or several consular offices, and you consult with the members of the committee and with the leadership and they say, "No, we don't want one," does that mean that one will not be established?

He refused to agree to that. He said: No. This is a presidential power.

I believe we would be notified. I believe we would get about the same protection that an American traveler gets in Russia under this treaty. We get notification and consultation, but we do not have freedom of action, and I believe that is also in the record.

It is an executive function, it is a presidential power, and the Secretary of State properly said that they would talk with us, they would consult with us, they would notify us, but he would not agree to put a consular office in a community that did not want it or to establish one if the Senate did not approve of it.

Mr. MANSFIELD. The Senator asked the Secretary of State a question which no man who is charged with that responsibility could answer definitely.

Mr. MUNDT. He answered it honestly, and I believe definitively.

Mr. MANSFIELD. He recognized, as does the Senator from South Dakota, that it is a prerogative within the power of the Presidency itself. But it would

March 15, 1967

CONGRESSIONAL RECORD — SENATE

S 3839

be difficult for me to imagine any Secretary of State making suggestions as to what the procedure would be, if this convention is adopted, and then going against strongly expressed wishes on the part of a community or the State, the members of the Committee on Foreign Relations, or the leadership of the Senate on both sides. The latter, of course, would make it a point to consult with the members of the respective parties represented in the Senate.

I assume that the Secretary of State was speaking in good faith when he said that if opposition did arise, it would be adhered to pretty strongly, and that no consulate, under any circumstances, would be put into any city where the opposition was strong enough to express itself and to make it feelings felt. I am sure the Senator from South Dakota feels the same way.

Mr. MUNDT. The Senator from Kansas [Mr. CARLSON] brought that question up, speaking as a former Governor, as to what would happen if the Governor interposed an objection to a consular office. The Secretary dodged that one very neatly. He said that question posed a very serious constitutional question, and he did not know what the result would be.

I have to assume that they would pay some attention to a Governor, some attention to a mayor. It is a little difficult for me to imagine, but I have seen situations in which the Department of State ignored the expressed desires of the committee or the Congress.

It is much more difficult for me to imagine however that all we are engaged in is sort of a mock battle about consular offices that nobody expects to establish. It is true that no consular office is established by this legislation, but it is difficult for me to believe that we have been wallowing through this trough of debate and hearings and controversy for several months about consular offices which they do not intend to establish.

I believe we are all realistically aware than the plan is to open a consular office in Chicago, unless Mayor Daly or the Governor of Illinois should object, and then the Russians might or might not do it anyhow. And we expect to open one in Leningrad. Those are the realities of the matter.

The consular offices bring in economic attaches; and if new consular office were opened, I wish to relate the trade situation to the next point made by the distinguished majority leader.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. MUNDT. I yield.

Mr. MANSFIELD. Referring again to what we were talking about, reference has been made to a query put to the Secretary of State by the distinguished senior Senator from Kansas [Mr. CARLSON], a former Governor of that State. Secretary Rusk's reply was as follows. First I shall read what Senator CARLSON said.

Having served as a Governor myself, I am interested in knowing, if a Governor objected to the establishment of a consulate, what would happen?

That is what the Senator from South Dakota referred to.

Mr. MUNDT. That is correct.

Mr. MANSFIELD. Secretary Rusk said:

Well, I wouldn't want to make a categorical commitment, Senator, because there are some constitutional issues involved in that that I am not prepared to abandon one way or the other, but I wouldn't think that we would press to put a consulate in a city that would find it unwelcome or a State that would find it unwelcome.

That is pretty strong language.

Mr. MUNDT. That is substantially the way I put it. I am surprised that my memory is so accurate.

Mr. MANSFIELD. And excellent, as always.

Mr. MUNDT. The next point the majority leader made was in quoting the Senator from Arkansas [Mr. FULBRIGHT]. I did not get the quotation exactly, but I am certain the majority leader will correct me if I am incorrect. I believe the majority leader made the point that the chairman of the Committee on Foreign Relations, the Senator from Arkansas, said that if he were an ally of the United States, he would worry greatly if the United States did not seize every opportunity to make a closer connection or rapprochement with Russia.

Mr. MANSFIELD. Not exactly, but to bring about a reduction of tensions anywhere in the world, which would include the Soviet Union.

Mr. MUNDT. OK, reduction of tensions with the Soviet Union. I believe that all the world, and certainly the Senator from South Dakota, would like to bring about a reduction of tensions with the Soviet Union. Had I felt otherwise, I would not have suggested the exchange, in the Smith-Mundt Act of the 80th Congress, with personnel behind the Iron Curtain as well as in the free countries. Had I felt otherwise, I would not have supported the appropriation for the publication of "Amerikonski," the American magazine which is published and distributed in Russia, although unhappily it is not made available to as many of the ordinary citizens of Russia as we would like.

I also approve of such a quid pro quo.

The PRESIDING OFFICER (Mr. MCINTYRE in the chair). The Senator's 5 minutes have expired.

Mr. MUNDT. I believe they have a magazine called "Sputnik" they ship over here. I approve of those things as exchanges on a reciprocal basis.

If I were an ally of the United States however, Mr. President, living in Bangkok or in Seoul, or if I were an ally of the United States living in Saigon, or Manila, or in any of the other countries which are helping us in this war I would worry a great deal more about the fact that the United States is signing a treaty, which on the face of it, in the terms incorporated, and in the language of the President in presenting it to the Congress in the state of the Union message, links it directly with expanded wartime trade with Russia. That would worry me because I would be worrying that my sons from my country who are fighting side by side with American boys would

get killed as ruthlessly and relentlessly by Soviet arms sent to North Vietnam as do American boys. That would worry me much more than a treaty reservation which has the possibility of reducing the flow of arms from Russia to Hanoi.

I am sorry that the majority leader was called from the Chamber. I was responding to his statement, and I want to do it in that fashion what he has present.

I shall reiterate a point that I made in the presence of the majority leader, point No. 5, because he brought it up in different terms. The point to which I refer involves the statistics of the situation which confronts us.

There are 18,000 Americans traveling annually in Russia. It is true that nine of them a year, on the average, have been getting into trouble. It is true that approximately 500,000 Americans are in Vietnam. The figures with which we are confronted are not in dispute. The question, it seems to me, is how we can best protect that group of Americans most worthy of protection in wartime, because I was born and brought up on history books which led me to believe then, and I believe now, that when our country is at war we should give every conceivable support to our men in uniform. That is one of the reasons why I have supported the President's conduct of the war much more vigorously and much more consistently than many of my colleagues on the other side of the aisle.

I share the unhappiness of many of my colleagues about the unsatisfactory results, but I have not felt it to be incumbent upon me to tell the President, who is the Commander in Chief, when to bomb, whether to bomb, where to bomb, how to bomb, and what targets to hit and how often and how hard. I have gone along on the fact that we have to protect those boys fighting our battles in Vietnam.

I believe that by this reservation or, if necessary, if this reservation is not adopted, by some other reservation or resolution of understanding or with a rejection of the treaty, we can do something which will help bring the Soviets to the point where they will realize the "counterproductiveness"—to use the State Department term—of their sending military support to their allies in Hanoi.

Mr. TOWER. Mr. President, will the Senator yield?

Mr. MUNDT. I yield.

Mr. TOWER. I wish to read a United Press International dispatch which supports what the Senator from South Dakota has just said:

SAIGON.—Communist guerrillas bombarded the giant U.S. airbase at Da Nang with Russian-made rockets today. Virtually instant American retaliation chased away the Viet Cong and limited damage in the second assault on the post in 17 days.

U.S. spokesmen said the guerrillas fired 15 140-mm rockets in 74 seconds from launch pads set in brush on the Yen River banks seven miles southwest of the base.

The use of the Russian made rockets, which were first introduced 17 days ago, made it possible for the Vietcong to mount an assault against our boys from

S3840

CONGRESSIONAL RECORD — SENATE

March 15, 1967

a greater distance with greater ease. Otherwise they would have had to take their heavy mortars through the brush in order to get closer to do their evil work. Now, with sophisticated rockets they can operate from a greater distance with greater ease. This makes them more effective.

If the Soviets are as interested in building bridges as we are they could start by not sending these Russian-made rockets to the Vietcong, as well as many other things that they send.

Mr. MUNDT. The Senator is correct. The Senator has given a vivid, graphic, and a current bit of information in complete support of my position that if the Senate wants to do something to try to shorten the war—and I cannot guarantee that is going to happen—and if we want to try even to do something to make it less possible for the North Vietnamese to prolong the war, we have that opportunity in this vote.

We would take that step in the form of a reservation which does not alter, change, or modify the treaty at all, except as to timing. We say to the Russians: "If you expect to continue these war-aiding imports from the U.S.A. and have a consular office over here with economic attaches drumming up new business and finding new imports which you would like to have, you are going to have to discontinue your shipments of war materials to Vietnam."

This rocket situation is in point, as well as the fact that the North Vietnam Communists get all of their petroleum from Russia. If that supply can be reduced it would shorten the war.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. MUNDT. I yield.

Mr. MANSFIELD. I would most respectfully disagree with my distinguished colleague. I do not believe his reservation would shorten the war one day. I do not think it would save one American life in Vietnam. I feel that the adoption of the Senator's reservation would kill this treaty, and would thus remove from the 18,000 Americans that travel in the U.S.S.R. annually, the protections provided under this treaty.

The question before the Senate on the convention is not the 500,000 men in Vietnam or in its immediate vicinity, but it is the 18,000 Americans within the Soviet Union who are subject to Soviet law in a closed society.

Mr. MUNDT. The Senator from South Dakota would like to consider both groups of Americans, with special consideration however being given to the 500,000 in uniform. I realize that the 18,000 tourists also deserve protection.

Mr. MANSFIELD. Every American citizen deserves protection.

Mr. MUNDT. The Senator is correct.

Mr. MANSFIELD. But the Senator wants to bring in the question of exports from this country to the Soviet Union, and he has several times. That question has no connection with the convention before us, which is tied exclusively to only one stipulation, and that is the protection of Americans who will be traveling in the Soviet Union.

The distinguished Senator from Texas [Mr. Tower] has mentioned that the

Vietcong—not the North Vietnamese but the Vietcong—are using Russian made rockets in attacks on the Marine air base at Danang in the north.

I think that American bombers and other types of planes are using American made bombs and other types of weapons in the north. You have a two-way street, with the Soviet Union aiding a Socialist ally and the United States aiding a democratic ally in South Vietnam.

Mr. TOWER. Mr. President, will the Senator yield?

Mr. MUNDT. I yield.

Mr. TOWER. I wish to point out that I do not think the two situations are at all analogous. Let us remember that the United States does not choose this war as an instrument of national policy. We have been involved in four wars in this century, none of which we started, none of which we were prepared for, and each of which we entered into reluctantly.

Today in southeast Asia we are trying to bring an end to the war by convincing those who do adopt war as an instrument of national policy that war is too costly an implement of national policy to further employ. That is why we are there. We did not start this war; they did. Let them, by some overt act show us that they are prepared to reject war as an instrument of national policy; then, we can, perhaps, start building bridges of friendship, and I shall be the first to advocate it.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. MUNDT. I yield.

Mr. MANSFIELD. The distinguished Senator from Texas mentioned the possibility, and I assume he was referring to the pending reservation, about "ending" the war shortly—and I put the word "ending" in quotation marks.

The distinguished Senator from South Dakota has also said more or less that the adoption of his reservation could possibly bring about a shortening of the war.

I am not a military expert. I was only a seaman second class in the Navy, a private in the Army, and a PFC in the Marines, but I do have a pretty active interest in the Far East and southeast Asia based on spending some time out there, based on being a professor of history, if I may use that term without being lynched—and I see one of my fellow professors rising—

Mr. TOWER. If there is to be a lynching party with the distinguished majority leader, I believe that it would have to include me, because I was a professor of political science.

Mr. MUNDT. Let us not discuss the lynching of college professors, because then I would get myself involved as well. [Laughter.]

Mr. MANSFIELD. I withdraw the reference.

Mr. President, it is my belief that those who think there is a cheap or easy way to bring an end to the war in Vietnam are very much mistaken.

It is true that we cannot and will not be defeated militarily. We will not withdraw. We will make every effort to bring this situation to an honorable conclusion. But, until that negotiating table

is reached, we have a long, hard row ahead of us in South Vietnam alone. What we shall see—and I believe and I know that my remarks will be taken in the proper spirit because I am not an expert—will be a reversal from phase 3 of Mao Tse-tung's handbook on war to phase 2, which will mean a return to guerrilla tactics and a slowdown in the use of organizational units of any great size.

But there are discussions now—and all my information is obtained from the press—to the effect that we are contemplating a move into the Mekong Delta. I believe that articles appeared in the press which stated that elements of the 9th Infantry have been sent into the Mekong Delta area. If I am not mistaken, the identification was made because of a statement made by the distinguished Senator from Texas a month or so ago.

Mr. TOWER. If the Senator from Montana will yield at that point—

Mr. MANSFIELD. I yield.

Mr. TOWER. No; that was conjecture on the part of the New York Times. At that moment, the 9th Division was not established in the Delta. It was simply announced that I would visit the 9th Division and would also visit the Mekong Delta, and the New York Times put two and two together. I did not know myself where the 9th Division was at the time. I doubt that we are contemplating going into the Delta. We are there, sir. The U.S. Navy has been there for some time patrolling the river. I can speak with only slightly more knowledge than the Senator from Montana in that I am a mate, bo'sun's third Class, in the U.S. Navy Reserve.

Mr. MUNDT. If I may interpolate there, for those who read the RECORD, the distinguished Senator from Texas has just about 1 week ago returned from Vietnam where he spent—how much time?

Mr. TOWER. One month in southeast Asia.

Mr. MUNDT. How long was the Senator in Vietnam?

Mr. TOWER. Six days.

Mr. MUNDT. Six days, looking at the situation firsthand around him. Within the last week, I heard the Senator make a very fine address on his observations there. They were most pertinent and informative, so that the Senator does speak with recent, firsthand knowledge of the situation in Vietnam.

Mr. MANSFIELD. I would underscore that. The Senator from Texas has spent several weeks in Vietnam and this is only one of many trips which he has made. However, I want to point out that all my information comes from the public prints, that in an indirect way the Senator from Texas was involved in my knowledge of the facts—and it is true—namely, that there are elements of the 9th Infantry in the Mekong Delta. They were sent there around the latter part of 1966 or the first part of this year. It is my belief that those elements have been increased in recent days and that there are Navy boats patrolling the rivers and other waterways in the Mekong Delta; that if we are going to go into that area, it will be much more difficult

March 15, 1967

CONGRESSIONAL RECORD — SENATE

S 3841

than the fighting which has already taken place in the central highlands, and which is still continuing in the vicinity of the four northern provinces and the DMZ area.

What we have down there is about 25,000 miles of estuaries and waterways of various kinds.

What we have down there is the main strength of the Vietcong, organizational and otherwise.

What we have down there are people who do not look upon the Vietcong as Communists but as nationalists.

What we have down there is the reservoir from which the Vietcong elements draw their manpower to carry on activities in other parts of Vietnam.

The point I am getting to is this: In response to assumptions made by both the Senator from Texas and the Senator from South Dakota that the end of this war is not in sight, it is my belief that if things go as they are and we do not reach the negotiating table, we shall be in Vietnam and other parts of southeast Asia for many, many years to come.

All we have done is touch the frosting on the cake. We have not gotten down to bedrock—if I may be excused for mixing my metaphors—and the toughest days lie ahead. All one need do to corroborate that belief—and I am sure the Senator from Texas will agree with this statement—is to talk to the military men who will have to carry on the activities against guerrilla units; these military men will affirm that the guerrilla phase of the war is one attracting their greatest concern. That means that insofar as the Mekong area is concerned, much of the equipment used in the central and northern parts of Vietnam will not be usable because of the entirely different character of the terrain.

Thus, I do not look for a short ending to the war, I am sorry to say. I do not look for a cheap way out. I think that the solution is not a military one which we can accomplish, if only we are willing to pay the price—and it looks as if we are—but a political one by reaching, through negotiations, a settlement which will be honorable.

Mr. MUNDT. I share the Senator's apprehensions about the long continuation of this war. If we continue to follow existing policies certainly, if we continue to pursue existing practices, and if we continue to fight this war and conduct ourselves diplomatically and ship strategic supplies and material to the Russians for them to transship to Hanoi, I think it will be a long, long, bloody war indeed and our policies will be helping to prolong it.

Certainly, if I gave the majority leader any reason to feel that I thought adoption of the reservation would bring the war to an end, I was speaking with more hyperbole and enthusiasm than I ordinarily engage in.

Mr. GORE. Mr. President, will the Senator from South Dakota yield?

Mr. MUNDT. I was trying to point out that I thought it would shorten the war.

Mr. MANSFIELD. That is the word.

Mr. MUNDT. Not end the war, but shorten it. If, in fact, it would do something to bring on the guerrilla phase,

with the kind of weaponry now being supplied by the Russians, such a guerrilla phase would not be nearly so effective in killing our boys as it is now.

The PRESIDING OFFICER. The time of the Senator from South Dakota has expired.

Mr. MUNDT. Mr. President, I wonder whether I could have a little of the Senator's time.

Mr. MANSFIELD. I yield 5 minutes to the Senator from South Dakota.

The PRESIDING OFFICER. The Senator from South Dakota is recognized for 5 minutes.

Mr. MUNDT. I thank the Senator from Montana.

Mr. MANSFIELD. Let me interrupt the Senator to say that the guerrilla phase No. 2 would be most difficult.

Mr. MUNDT. I agree that it would be difficult.

Mr. MANSFIELD. Most difficult.

Mr. MUNDT. Most difficult, but perhaps not in terms of loss of human life. Our boys will not then be shot at with ground-to-ground rockets, there will be no Migs operating during guerrilla tactics, shooting at our flyers, or trying to shoot them out of the air. If the war is reduced to one of guerrilla tactics, in my opinion, even that would be some progress toward eventual peace.

The point I am trying to emphasize is that we are not doing anything to shorten the war when we propose to expand, not decrease, American exports to swell the arsenal of Russia supplying every sophisticated weapon being used by Hanoi to kill American boys in increasing numbers, supplying them with petroleum, and even with the boats, tanks, and trucks, needed for shipping supplies to the guerrillas for that aspect of the war.

I want to put the evidence in the RECORD, because I do not want to be accused of having invented the idea that there is a relation between the consular treaty and economic trade and economic policy—I have put it in before and I put it in again, because I get it from the President's state of the Union address which is his proposal to Congress for action that he would like to have occur—the President's statement:

Tonight I now ask and urge the Congress to help in foreign and commercial trade policies.

Note what he is asking. He is asking us to help our foreign and commercial trade policies by passing an East-West trade bill, and by approving our consular convention with the Soviet Union.

There is the tie-in. There is the thing I would be worrying about if I were leading the Government of Thailand, which is betting its very existence on American arms in Vietnam. That would worry me as an ally if I were sitting in the President's seat in the Philippine Islands. If I were in any way, shape, or form wanting or desiring the American forces to win, I would be worried about the action we are taking here in the Senate of the United States unless we placed in the treaty a reservation which would give our diplomats a tool to help reduce, and I believe it could be used to help stop, the shipment of the flood of arms from Russia to Hanoi.

Mr. TOWER. Mr. President, will the Senator yield?

Mr. MUNDT. I yield.

Mr. TOWER. Actually, of course, what has happened in Vietnam, as the Senator from Montana has mentioned, is that the enemy has fallen back to phase 2, the small unit, guerrilla type of warfare. That is because we have been confronting the enemy in the main force. As a result we have turned the corner, because the enemy had entered into phase 3. It now has turned back to phase 2. They look to the time when they can once again get back to phase 3 in their attempts to wrest the country away from the Government of South Vietnam and its allies.

What we are now doing is the hard and bloody business of finding and seeking the Vietcong infrastructure, to capture and destroy it. It is true that the lines of communication were and are used to aid and send supplies into the delta and the highlands to face our forces. This is an important part of our operation. This type of operation was evidenced by Operation Cedar Falls and Operation Junction City. We find that we are hurting the Vietcong to the extent that they have serious manpower problems. The Vietcong main force units are now being replenished and replaced by the North Vietnamese. In other words, the Vietcong, in order to replenish its main force, must rely on the North Vietnamese Army, whose men are being sent south, and which, of course, have to be logistically supported. So it does not make sense to destroy the enemy's lines of communications within South Vietnam and not make attempts to destroy the enemy's lines of communications outside.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. TOWER. May I have 2 additional minutes?

Mr. MANSFIELD. I yield 5 minutes to the Senator. I would like to get into this.

Mr. MUNDT. Make it 10 minutes, 5 minutes from each side.

Mr. TOWER. If we destroy the lines of communications within the country it means they are still receiving logistic support from outside if we do not destroy those lines of communications. Nobody has contended that it is going to be easy, but I think I am correct when I state that our field commanders think we are doing pretty well and that we have turned the corner—

Mr. MANSFIELD. Militarily?

Mr. TOWER. Militarily. And the only way we are going to be able to carry out more effectively our pacification programs is in that way. The people in the Mekong Delta are getting sick and tired of having the Vietcong extort taxes from them, take food away from them, take away their young men of 14 and 15 years of age and draft them into the Vietcong army. There is growing resentment against that activity in South Vietnam, which I think is bound to have benefit and favorable effects in our winning the people over in South Vietnam. At the same time that we are winning them over, we will be giving them a sense of nationality and developing leadership to

S3812

CONGRESSIONAL RECORD — SENATE

March 15, 1967

further their social and economic development.

I think the Senator from South Dakota, in this reservation, is saying not that we do not want to build these bridges of friendship, but is saying, "Give us one overt sign that you want to bring about peace, that you reject war as an instrument of national policy, and show everybody that that is what you want."

Mr. MUNDT. The Senator is correct. Mr. MANSFIELD. Mr. President, I had intended to go further into the debate, but I see that the distinguished Senator from Tennessee [Mr. GORE] wishes to enter into the debate, so I shall wait until a later time.

Mr. GORE. Mr. President, will the Senator yield?

Mr. MUNDT. I am glad to yield to the Senator from Tennessee.

Mr. GORE. I merely wanted to call attention to the fact that the discussion in the Senate today with respect to the nature and character of the war in the delta, south of Saigon, illustrates that a great many people are now tempted greatly to oversimplify the character of the tragic conflict in Vietnam, to treat it as a war of aggression on the part of the North Vietnamese, and a war to resist aggression on the part of the United States.

As a matter of fact, as the Senator from Montana has cited, the war in the Delta is civil in character. There is no substantial evidence, which I have heard, that North Vietnamese are in the Delta in any substantial number.

Mr. MANSFIELD. I stand to be corrected, but my understanding is that there is no evidence of a single North Vietnamese organization within the Delta. That is what I understand to be a 100-percent Vietcong operation.

Mr. TOWER. However, it is the Vietcong in the Delta who are providing food and foodstuffs to feed the members of the army in the North and the enemy forces around Saigon, which must be logistically supplied.

Mr. MANSFIELD. Yes; and furnish manpower in the north, as well.

Mr. TOWER. Yes.

Mr. GORE. If the Senator will yield further, this leads to the discussion of what the Vietcong are doing in the Delta or elsewhere. I merely wanted to state that some people oversimplify this tragic conflict.

Of course there is aggression. There might be some debate as to who is the greater aggressor. There is no question that there is aggression. On the other hand, we tend to overlook the fact that the Vietcong are overwhelmingly indigenous in character and that, particularly in the delta, they resist the rule of the government now in power in Saigon. This, it seems to me, illustrates that the war is still, in considerable part, civil in character, and in which the United States has become a participant not only in resisting major units from North Vietnam, but has now taken over what was so recently to have been the duty and responsibility of the government of Saigon: the repression of the civil unrest and the civil war elements of the Vietcong, even in the delta.

So the situation is extremely complicated, and those who say that the signal for peace must come exclusively from Hanoi tend, to me, to oversimplify. Signals for peace must come from many sources—from Moscow, from Peking, from Hanoi, from the Vietcong, from the United States, and from other elements allied with us.

Mr. TOWER. Mr. President, will the Senator yield?

Mr. MUNDT. I yield.

Mr. TOWER. I hope the Senator from Tennessee did not get the impression that I was trying to oversimplify the situation. I have seen enough of Vietnam, having been there several times and having been all over the country, to know that there is no way to simplify it. There is no simple way to tell what is going on there. It is almost impossible for people to understand how we can enjoy military success when we do not have a Battle of the Bulge or a Battle of Waterloo—a battle which is obviously a military success. It is difficult to gage military success.

Mr. GORE. I agree.

Mr. TOWER. I hasten to assure the Senator from Tennessee that I, for one, do not believe that we are engaged in a simple struggle. However, the shift in emphasis between the military forces of the United States and of the Republic of Vietnam is this: The United States, with its mobility and its great firepower strength, will be used primarily to fight the main-forces engagements and to engage in dynamic types of operation—search and sweep, and that sort of thing; whereas the units of the Army of the Republic of Vietnam will stay in relatively fixed positions and will engage in antiguerrilla warfare, suppression, and pacification work in cooperation with our Armed Forces. We have not carved out the easiest job for the Army of Vietnam in the shift of emphasis.

Mr. MANSFIELD. What are the three South Vietnamese divisions, which have been there for years, doing to pacify or to sweep the Vietcong, which controls the delta?

Mr. TOWER. They have at least prevented its being taken over in its entirety by the Vietcong. We do control the biggest market center in the delta. It has been under the control of ARVN for some time. That is the city of Can Tho.

Mr. MANSFIELD. Is the Senator from Texas of the belief that there is a tacit understanding between the South Vietnamese in the delta and the Vietcong, and that it has existed for years?

Mr. TOWER. It is not my belief that there is such a tacit understanding. If the distinguished Senator from Montana has evidence of it, I think he should present it to us, because it is something we should be aware of.

Mr. MANSFIELD. My information comes from the public prints.

Mr. TOWER. Then Senator should not believe everything he reads in the newspapers.

Mr. MANSFIELD. I do not.

Mr. LAUSCHE. Mr. President, I heard the comment made by the Senator from Tennessee that the question of

aggression is one of doubt, and that it might well be said that the United States is the aggressor.

Mr. GORE. Mr. President, will the Senator yield?

Mr. LAUSCHE. I yield.

Mr. GORE. I said aggression might be subject to debate. I did not say "it might well be said." I indicated that some people might say it.

Mr. LAUSCHE. Does the Senator make the statement that the United States is the aggressor?

Mr. MANSFIELD. No, the Senator was just citing a hypothetical case.

Mr. LAUSCHE. Let the Senator speak for himself.

Mr. GORE. The Senator from Tennessee does not propose to permit the Senator from Ohio to put words in his mouth and then be interrogated thereon. If I have a statement to make, I shall make it without the assistance of inquiry from the Senator from Ohio.

Mr. LAUSCHE. My position is that the North Vietnamese are the aggressors, and I should like to ask the Senator from Tennessee whether he is, either expressly or impliedly, stating that the United States is the aggressor.

Mr. GORE. Mr. President, in the first place, it is contrary to the rules of the Senate for one Senator, having the floor, to interrogate another Senator who has not the floor.

Mr. MANSFIELD. The Senator is correct.

Mr. GORE. I resent the Senator from Ohio undertaking to place in the mouth of the Senator from Tennessee statements which he did not make, and then proposing to ask him questions as if he had made such statements or intended so to state.

Mr. LAUSCHE. Mr. President, if I am out of order, I will withdraw the question.

The PRESIDING OFFICER. The Senator's time has expired. Who yields time?

Mr. LAUSCHE. Mr. President, will the Senator from South Dakota yield further?

Mr. MUNDT. Mr. President, I suggest to the majority leader that since this is mostly Democratic colloquy, he yield some time from his side of the aisle.

Mr. MANSFIELD. I yield 2 minutes to the Senator from Ohio.

Mr. LAUSCHE. Mr. President, only one investigation has been made about where the aggression has occurred. That was by the legal committee of the International Control Commission, consisting of Canada, Poland, and India, I believe. That investigation was made in 1962. The report of that commission is available. In substance, it states that the North Vietnamese, by infiltration, by the sending of troops from the north to the south, and by sending in infiltrators and subversive operators, invaded South Vietnam.

If there is any other actual finding in existence except the one I have described, I wish that one of the Senators on the floor would make a statement to that effect. I know of only one investigation, and that is the one of 1962. It was made by the Legal Committee of the

March 15, 1967

CONGRESSIONAL RECORD — SENATE

S 3843

Commission created by the Geneva accord of 1954, and its conclusion was that the North Vietnamese were sending infiltrators and others into South Vietnam—

The PRESIDING OFFICER. The Senator's 2 minutes have expired.

Mr. LAUSCHE (continuing). To create disorder, violence, and revolution.

Mr. MANSFIELD. Mr. President, will the Senator from Alabama yield me 1 minute?

Mr. SPARKMAN. I yield 1 minute to the Senator from Montana.

Mr. MANSFIELD. Mr. President, the Senator from Tennessee needs no defense from me or from anyone else; but what the Senator from Tennessee was stating as a fact, in relation to the penetration now going on in the Delta, was that it was by and large almost entirely, if not entirely, a Vietcong concentration, and had been so, not for years but for decades.

It appears to me—and my figures, again, are subject to correction—that as far as the forces opposed to us in that area are concerned, they number approximately 20 percent North Vietnamese and 80 percent South Vietnamese, most of whom, I suppose, would be considered Vietcong.

The PRESIDING OFFICER. Who yields time?

Mr. GORE. Mr. President, will the Senator yield to me?

Mr. SPARKMAN. How much time?

Mr. GORE. I would like 5 minutes.

Mr. MUNDT. Mr. President, I have the floor.

Mr. SPARKMAN. I beg the Senator's pardon.

Mr. LAUSCHE. Mr. President, will the Senator from South Dakota yield further to me on this matter?

Mr. MUNDT. Mr. President, I wish to answer one statement which the majority leader has made, before he leaves the floor. Could we do that, and then continue the colloquy?

Mr. SPARKMAN. Mr. President, I yield the Senator from Montana 1 additional minute.

Mr. MUNDT. I wanted to comment on the letter the majority leader received yesterday from the Secretary of State. I do not think it will be the only letter put into the Record today; there may be some more. But I want to keep up to date on them.

This one relates to the alleged advantages of notification and consultation. It says nothing about immunity, because that is the advantage bearing the imprimatur of the Russian bear. Those are the three elements which are involved in the treaty.

From that, the Secretary tries to build the importance of the treaty far beyond its actual merit. Mr. President, I submit that when I hear the State Department talk about this treaty, it certainly could be said that never has so much been claimed by so many for so few, on the basis of what is actually written into the language of the treaty.

Many Senators speak about this treaty with easy enthusiasm, alleging that it is going to free American prisoners when they get in jail. That is not so. It pro-

vides for notification and consultation only. They talk about the 18,000 persons who would be helped by it. That is not so. Nine individuals only, on the average, would be helped each year.

It seems to me, consequently, that we ought to weigh against these few advantages, so badly overclaimed, the actual merits of the treaty.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. MUNDT. I yield myself 2 additional minutes.

I wish to ask the majority leader, before he leaves the Chamber, about something he did not incorporate in his speech.

I am disturbed about what happened in the State Department yesterday. One of the arguments that has been used by some Senators, in private conversation and perhaps in public debate, is that this treaty is supposed to be a matter by which we can drive a wedge between the U.S.S.R. and Red China.

I think it might be good to drive such wedges, if that is possible. But I was disturbed when the same State Department people, who go around whispering in the ears of undecided Senators that they may become wedge builders by voting for the treaty, announced yesterday that the State Department had lifted all restrictions upon travel by U.S. citizens to Albania.

Mr. President, what is Albania? It is a Communist country, to be sure. The State Department's announcement pretty well knocks in the head the idea that you have to have American consulates to protect the American traveler, because we do not even recognize Albania, and have not recognized it for more than 20 years.

Albania is entirely outside the realm of diplomatic recognition, but this action does something else. It puts the State Department on the side of granting a favor to Albania, which is a Chinese member of the Communist bloc in Europe and not a Soviet member.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MUNDT. Mr. President, I yield myself an additional 5 minutes.

The PRESIDING OFFICER. The Senator from South Dakota is recognized for an additional 5 minutes.

Mr. MUNDT. Mr. President, we are being importuned to court the favor of the Russians by a treaty which means more trade with Moscow and, at the same time, conceding things to Albania, a country aligned with China. This is a situation which tends to create dissidence instead of amity between the U.S.S.R. and the United States.

I am confused by the dexterity by which the State Department can argue every side of every issue and then come up with conclusions to serve their immediate purposes.

Mr. President, I ask unanimous consent that the article entitled "Ban on Albania Travel Is Lifted," written by Bernard Gwertzman, and published in the Washington Evening Star of yesterday be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

BAN ON ALBANIA TRAVEL IS LIFTED

(By Bernard Gwertzman)

The State Department today lifted all restrictions on travel by U.S. citizens to Albania.

At the same time, however, the department announced it was retaining its stand on travel to Cuba, North Vietnam, North Korea and Red China. Travel to those areas is permitted only by special permission.

Carl Barch, a State Department spokesman said ending of the travel prohibition to Communist Albania was not due to any changes in Albania but rather to a fresh interpretation of the new U.S. passport regulations that went into effect last year.

Under those regulations, the secretary of state each year must give reasons for any travel ban.

A full statement of the department's reasons for maintaining current restrictions will be listed in the Federal Register tomorrow, but Barch summed up by saying travel was banned to North Vietnam because of armed hostilities there, and to North Korea, Cuba and Red China because "unrestricted travel to those countries would seriously impair the conduct of U.S. foreign affairs."

In practice, newsmen have had no difficulty having their passports approved for travel to restricted area. But except in rare instances, they have had great difficulty getting visas from those countries. In the last year, the department also has permitted scholars and others with legitimate reasons for travel to have their passports authorized.

Tiny Albania, an enclave in Eastern Europe, has been Communist since 1945 and has not had diplomatic relations with the United States since 1948. It is isolated because it has very poor relations with neighboring Yugoslavia and in 1961 broke relations with the Soviet Union. It is Red China's closest ally in the world and relies on Peking to a great extent for economic aid.

Barch would not elaborate on reasons for maintaining the restrictions on travel to the other countries, saying it is "spelled out" in the Federal Register.

The Johnson administration has been seeking to improve relations with Eastern Europe for several years and the lifting of travel restrictions to Albania could be regarded in this light.

Albania is a member of the Warsaw Pact, but has few ties with the other nations of Eastern Europe since her closest political friend is Red China.

The State Department's decision probably was based on the fact that there were few reasons not to lift the restrictions.

Mr. SPARKMAN. Mr. President, I yield 5 minutes to the Senator from Tennessee.

The PRESIDING OFFICER. The Senator from Tennessee is recognized for 5 minutes.

Mr. GORE. Mr. President, the distinguished and able senior Senator from Ohio, it seems to me, has just illustrated another tendency toward which so many people tend, and that is to interpret everything that our opposition in this war does as all bad and everything that the United States does as all good.

A great leader said a long time ago that war is hell. It is destructive. It is vicious. It is deadly.

I am not sure that an entirely unbiased observer—which I am not—would hold that there is no element of aggression involved when one nation, without a declaration of war against another, sails its ships off its harbors, off its shores, and bombs facilities and harbors

S 3844

CONGRESSIONAL RECORD — SENATE

March 15, 1967

ard ports and, by mistake, destroys homes.

I am not sure that an entirely unbiased observer would hold that under all the circumstances the United States has any more moral or political or legal right to aid South Vietnam than other countries have to aid North Vietnam.

What we have in Vietnam is a confrontation of two aggressive cultures. I do not like to describe our culture as aggressive in terms of the ugly connotations usually attributed to aggression, but the facts are that our culture is Judeo-Christian in its concept and evangelical in its zeal, in its religious fervor, and in its political doctrine.

We believe in principles—and when I say "we," I include myself. We believe in the equality of man. We believe in freedom. We believe in self-determination, and we are willing to support our beliefs with our actions, and I applaud that.

When, as chairman of the African Affairs Subcommittee, I went to 15 countries in Africa, I found that the leaders in almost all those countries, if not all of them, had been educated in the mission schools largely supported by the Protestant and Catholic churches of the United States. I took great pride in that fact.

The PRESIDING OFFICER. The time of the Senator from Tennessee has expired.

Mr. SPARKMAN. Mr. President, I yield an additional 5 minutes to the Senator from Tennessee.

The PRESIDING OFFICER. The Senator from Tennessee is recognized for an additional 5 minutes.

Mr. GORE. Mr. President, I took great pride in that fact. My own religious affiliation is the Missionary Baptist Church.

As a child I contributed my nickels and dimes and looked at the beautiful post cards depicting how the mission schools were bringing light and freedom and a better life to the people in distant and bereft lands. As a Senator I have supported many bills of foreign aid.

So, we have spread our culture. It has been a boon to mankind who have received it.

Not only has the United States done this, but so have our Western Allies.

But the shot heard round the world was fired in our country.

Democracy is still the most treasured and most revolutionary political precept known to man. I am proud of those precepts, and I take pride in the fact that it has appealed to the mankind of the world and that we have been aggressive in our culture, evangelical in our religion, generous with our resources, and, I think, noble in our impulses.

But that neither means that we have always been perfect, nor that every other people on earth agree with the nobility and the perfection of our performance.

There is in the world another aggressive culture, having sort of a materialistic religion, which I reject and resist. But it, too, has zeal. And it, too, has spread.

Unfortunately, it has adopted war as an instrument of its spread. This we

have not done, except that we have been drawn into conflict, and sometimes under circumstances subject to debate.

But however that may be, these two cultures are in confrontation in southeast Asia.

I hope that we can find a way to live in peace, because the centers of these two cultures now have the power almost to make the world uninhabitable.

I am not sure that it serves the cause of peace, however, to oversimplify the issue, to distort it, or to confuse the purposes and the motives and the effect of the conflict.

I only rose to suggest that the description of the war or the contest now underway in the delta south of Saigon illustrated that this war was no simply one of aggression on our side and resistance to aggression on the other.

It started with a large element of civil conflict, and it seemed to me—and it still seems to me—that the nature of the hostilities in the delta illustrate that it is still civil in considerable respects.

The PRESIDING OFFICER. The Senator's 5 minutes have expired.

Mr. GORE. I ask that I may proceed for 5 additional minutes.

Mr. SPARKMAN. I yield 5 additional minutes to the Senator from Tennessee.

Mr. GORE. Several Senators have been to Vietnam. I visited there once, some time ago. Perhaps duty should call me to return there to get a firsthand view. Others seem to have benefited therefrom. Perhaps the senior Senator from Ohio and I should undertake to gather firsthand information.

I humbly suggest, in conclusion, that the overwhelming challenge of mankind is to find means of living together without resort to war. Even a brush fire can be a tinder box. Even a brush fire anywhere can be the spark, the tinder box, to set underway a world conflagration out of which civilization itself might be destroyed.

There are now in place in the silos and on the submarines sufficient weapons which within a matter of minutes or hours, according to expert testimony to which I have listened recently, could destroy more than half of the people in the United States and more than half of the people in the Soviet Union—perhaps as much as two-thirds of either country—and perhaps render the remainder of the country ultimately uninhabitable. Yet, some people say that we should withhold nothing to crush our foe in Vietnam.

Surely, we could defeat North Vietnam. Within an hour or less, North Vietnam could be rendered uninhabitable—even by insects. So if we wish to go to this extent to bring peace to Vietnam, and if the silence of death is peace, it can be achieved in an hour.

But, Mr. President, can the situation be so simplified? My purpose today in injecting myself into this debate was not to get into a controversy, but to plead with Senators and with all my fellow Americans to resist the temptation of oversimplification of this very complicated conflict in southeast Asia.

True, as I have said, we could bring peace—the silence of peace, if the silence

of death is peace—to Vietnam; but would that not unleash the powers of destruction upon a wider scale? Would that not isolate the United States, even if it did not stir wider conflagration, in the family of nations?

These things illustrate, it seems to me, the necessity of keeping in focus this tragic, this complicated, this tremendously involved war in which we are a participant. Perhaps if we would keep these diverse elements in focus and avoid oversimplification, avoid an emotional treatment of all that the other side does as bad and all that the United States does as entirely pure, not subject to question, a spirit of understanding might be facilitated. Perhaps this might facilitate a means of making the necessary compromises and understandings to achieve peace in Vietnam, which I would earnestly like to see.

The ACTING PRESIDENT pro tempore. The Senator's time has expired.

Mr. LAUSCHE. I should like 5 or 7 minutes.

Mr. SPARKMAN. I yield 7 minutes to the Senator from Ohio.

Mr. LAUSCHE. Mr. President, I recognize the deep sincerity of the Senator from Tennessee in attempting to work out a solution of the danger that exists to the world in South Vietnam. I respectfully state, however, that in my judgment our country has done everything conceivable to bring the shooting to an end, and to bring the participants in the trouble to the negotiating table. We have not failed. We have attempted, with all our might, to hold back and to induce Ho Chi Minh to sit down with us and negotiate an understanding that would bring the violence in South Vietnam to an end.

It was stated a moment ago, "Unfortunately, North Vietnam has adopted war as an instrument of its purpose to spread communism." I believe that is an accurate statement. North Vietnam wants to spread communism, even though war is necessary.

Mr. GORE. Mr. President, will the Senator yield?

Mr. LAUSCHE. I should like to complete my statement.

Mr. GORE. I believe I said not only North Vietnam but also other Communist countries.

Mr. LAUSCHE. I believe that is the fact.

The Senator from Tennessee has stated that our efforts should be to find means of living together without resort to war. Mr. President, I would be base in the worst degree and unfaithful to truth if I were to state that my country has not tried to find means of living together with all the people of the world. Can it be said with integrity that the Communists have sought a similar objective? Everywhere they are trying to spread the domination of communism by whatever means are necessary, even to the extent of resorting to war.

Our country, through the President, has stated that in southeast Asia we are prepared to establish a banking institution that will provide financial help not only to South Vietnam but also to Communist North Vietnam. Can there be a

March 15, 1967

CONGRESSIONAL RECORD — SENATE

S3845

more charitable and a more clear-cut purpose of trying to achieve peace than that program of the President? To the people of South Vietnam up to the end of 1964 the United States has provided \$2.1 billion of economic aid.

I do not claim that everything our country does is right, but I do say, in the words of Decatur:

Our country! In her intercourse with foreign nations may she always be in the right; but our country, right or wrong!

The war is going on. Ho Chi Minh refuses to go to the negotiating table.

Let us take a look at what might have been some of the reasons why he refuses to go to the negotiating table. In this Chamber—and I am not saying that the Senator from Tennessee made this statement—statements have been made that our country is the aggressor. I wish to repeat what I said 20 minutes ago: that the only agency that made an investigation of the true facts in South Vietnam reported that North Vietnam sent in its infiltrators and subversive operators to create violence in South Vietnam.

The Legal Committee of the International Control Commission consisting of representatives of the governments of Canada, Poland and India in 1962 investigated and reported:

There is evidence to show that arms, armed and unarmed personnel, munitions and other supplies have been sent from the Zone in the North to the Zone in the South with the objective of supporting, organizing and carrying out hostile activities, including armed attacks, directed against the Armed Forces and Administration of the Zone in the South.

There is evidence that the PAVN (People's Army of Viet Nam) has allowed the Zone in the North to be used for inciting, encouraging and supporting hostile activities in the Zone in the South, aimed at the overthrow of the Administration in the South.

Second. The statement was made, either on the floor of the Senate or in other places, that the United States has made prostitutes out of the women of South Vietnam. What does the world conclude when words of that character come from high echelon officials of the U.S. Government?

Third. Statements have been made that the United States desires to establish colonial domination over South Vietnam so as to exploit its human beings and its mineral resources. What good can South Vietnam do for the United States economically? Not a single bit of good. Yet, those are the words that have come out of this Chamber.

The PRESIDING OFFICER (Mr. McIntyre in the chair). The time of the Senator has expired.

Mr. LAUSCHE. Mr. President, I ask unanimous consent that I may proceed for 5 additional minutes.

Mr. SPARKMAN. Mr. President, I yield 5 minutes to the Senator from Ohio.

Mr. LAUSCHE. Fourth. The charge has been made the United States is indulging in terrorism, taking the lives of innocent men, women, and children of South Vietnam. The statement was just made that the United States, by mistake, has destroyed the homes of innocent people in South Vietnam. That statement

is true. But never can it be said that the United States by design, by plan, or by deliberation has taken the life of a single person, as far as I can understand, in South Vietnam.

North Vietnam, through its Ho Chi Minh troops and through the Vietcong, has adopted a plan to deliberately and designedly maim people and kill them. Yet the charge is made that the United States is the country that is promoting terrorism. I cannot stand by and listen to that type of argument without raising my voice.

Fifth. The argument is made that the United States is demanding unconditional surrender and that, therefore, Ho Chi Minh cannot go to the negotiating table. Let us take a look at the facts. Five times we have paused in the bombing, once for 37 days. On each occasion we continued the pause as an indication of our purpose to negotiate. On every occasion Ho Chi Minh adamantly stood by and never yielded for a moment. Our Government said, "We will quit the bombing; all we ask you to do, Ho Chi Minh, is to quit sending troops and military equipment into the South. If we quit bombing, we do not want you to use your military equipment to take the lives of American boys." Even that argument has fallen upon deaf ears.

Mr. President, my only purpose in making this presentation is to give expression to my honest judgment and not to stand silent while my country is being blackened and that of the Communists is being whitened. I would not be at ease at the end of the day if by silence I indicated my acquiescence in the denunciations that are repeatedly being made about what our country has tried to do.

We have sent, as I recall, more than \$1 billion into South Vietnam, primarily to help those people. I wish to mention one further fact, and I would be delinquent if I did not do so.

Several months ago the statement was made that our Government was dressing its agents in Communist uniforms, and telling those agents to go out and rape South Vietnamese women and kill their men and their children for the purpose of putting the blame on the Communists.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. LAUSCHE. Mr. President, will the Senator yield 2 additional minutes to me?

Mr. BYRD of West Virginia. Mr. President, I yield 3 additional minutes to the Senator from Ohio.

Mr. LAUSCHE. I thank the Senator.

Mr. President, that statement was picked up by Peking and Moscow and spread all over the world that a Member of the U.S. Congress had said that we, in that devious and deceptive way, were violating the honor and the bodies of the Vietnamese women and were destroying the lives of innocent men, women, and children.

Now to summarize: We are not the aggressors. We are not trying to prostitute the women of South Vietnam. We are not seeking colonial domination. We are not practicing terrorism. We are not demanding unconditional surrender. Those are my views, and I

would be delinquent if I did not state them on the floor of the Senate.

I hold my friend the Senator from Tennessee [Mr. GORE] in the highest respect. I recognize that he is attempting to reach some avenue through which we may procure peace. I know that he understands, likewise, that I am seeking that same avenue.

Mr. GORE. Mr. President, will the Senator from Ohio yield?

Mr. LAUSCHE. I yield.

Mr. GORE. I thank the Senator for his generous references. Perhaps if this exchange has served no other purpose, it has illustrated that both of us hold sincere views and that there is a great similarity, considering the objective and goal we have in mind.

Mr. MUNDT. Mr. President, I yield myself 3 minutes. Then I shall yield to the distinguished Senator from Texas, who wishes to make an address in connection with the pending reservation.

We have been for the last hour listening to an interesting colloquy, engaged in by three of my fellow members of the Committee on Foreign Relations who represent the Democratic Party. The division of opinion that has been manifested by them, the divided unity which exists, the acrimony, the criticism, and the uncertainty which have been expressing, all by able, diligent, and loyal Democratic members of the committee, are, in my opinion most significant signs of our times. But they are going to shrink into insignificance compared with the growing division of opinion throughout the country, among the people generally, among the parents of the boys in Vietnam and of the young men and women who confront the possibility of service there, and among the populace generally, if we do nothing different, in the whole war picture in Vietnam from continuing the same monotonous, bloody formula in which we have been engaged, with comparative futility, for 5 long years.

What is that formula? Draft boys, Draft men. Send them to fight in Vietnam. Send strategic materials and supplies to Russia. Send over 400 items, different in nature, to Russia to relieve its consumer economy and to strengthen its industrial complex. Do nothing to discourage the Russians from sending to Vietnam all of the modern weapons required to kill the boys whom we draft and send there, and to continue to escalate our casualty lists. In the main, that has been the formula, at least for the last 3 years, and increasingly since October 12 when the President by Executive order expanded our shipments of supplies to step up the capacity of Russia to supply additional armaments to our enemy in Vietnam. So I think we must try something different.

I am impressed by one statement the Senator from Tennessee [Mr. GORE] made, when he said that the signals for peace have to come from many sources. I quite agree. We have sent them out repeatedly from the United States. I regret that the President has not done it very adroitly, certainly not with effectiveness, although we should not criticize him for trying. Perhaps one cannot be effective under a situation

S 3846

CONGRESSIONAL RECORD — SENATE

March 15, 1967

where the punishment received by the North Vietnamese is probably not so large as the economic and military input they are receiving from their allies in Russia and China. But he is right when he says that a signal for peace could come from Moscow. This reservation might help promote that signal, because if this reservation should be attached, all we would need to shorten the war would be one telephone call from the men in charge of the Kremlin to the men in charge of the war in Hanoi. It could go something like this, to put it in American laymen's language:

"Hello, Ho. This is Kosygin talking. We are having a little trouble with our American friends. We are also having a lot of trouble keeping up our economy and manufacturing products as fast as we should like to. We must continue to get imports from the United States if we are going to utilize them in our economy and be able to supply you with the weapons you need in this war. Now we are all for you, please be assured, but self-preservation is the first law of nations, Ho. You know that. So we are going to have to taper off with our war supplies to you. As a matter of fact, we are going to have to cut them off entirely. We are breaking this news to you gently. Make the best deal you can and move soon because we are no longer going to be your arsenal for war supplies."

Mr. President, that is the kind of signal for peace that could come out of Moscow, evolving from this kind of reservation. That is the kind of signal for peace which would be effective and bring Ho Chi Minh to the negotiating table mighty fast. I hope that we do not miss the opportunity to advise the State Department of this experiment which we would like to have them undertake, with no possibility of hurting anyone but with a great possibility of shortening the war in Vietnam.

Mr. TOWER. Mr. President, would the Senator from South Dakota yield?

Mr. MUNDT. I yield.

Mr. TOWER. It has been said that the Soviet Union has to supply aid to Ho Chi Minh so that Moscow can keep up its rivalry with Peking for influence in Hanoi. But, does it not occur to the Senator from South Dakota, regardless of how much help the Soviet Union sends to Hanoi, that the dominant influence there politically is now and by nature of things will be in the future Pekingese and not Muscovite?

Mr. MUNDT. Of course it will, because of the situation of geography, because of race, and because of culture. That is inevitable.

Mr. TOWER. Does it not occur to the Senator from South Dakota that the Soviets are aware of this and that, therefore, the only reasoning they could have is that perhaps they want to keep the United States bogged down and involved, wasting men, materiel and money in pursuing the war in southeast Asia?

Mr. MUNDT. There is no question about it. What is it costing the Russians? They are short of many industrial supplies but they are getting them from this country and Hanoi thus gets the arms it needs—via the Soviet Union—the arms will then eventually be used

against our American troops in Vietnam. There are 400 different items we now make available to Communist Russia, some of them on credit. There is, for example, this new automobile factory which is going to be set up in Russia, under Fiat management from Italy, in part with money borrowed from our American Export-Import Bank. Some of our exports will be exchanged for Russian imports which will drive down American raw material prices in our own economy, such as timber and furs, the importation of which will add to the price distress in this country for those products.

What are we really doing to induce the North Vietnamese Communists to come to the peace table?

Ho Chi Minh has a very good formula operating for him. Let us put ourselves in Ho Chi Minh's place, and we wonder why he has not answered any of the 36 suggestions for peace negotiation which President Johnson states he has sent out to him?

I believe that President Johnson is telling the truth on this report of his repeated calls for peace.

Will someone please indicate what we would have to do to make Ho Chi Minh come to the conference table, when the means of shipping him petroleum and materiel of war are shipped to him free from Moscow? This is good for Ho.

He impresses into service many of the soldiers for his army who are not even for him. He picks them up in the north. He takes them away from the peasants in the Delta area of the south. He has something pretty good going for him there. He is safe and free from bombing. His people are not subject to the kind of bombing that the people of Berlin, Munich, and other German cities got. Ho tells his people, "Don't worry. You are not going to get bombed as the people of Hiroshima and Nagasaki were in Japan."

We have got to induce him in some way to come to the conference table. We cannot do it unless we do something different from what we have been doing these past 5 war torn years. Lyndon Johnson could not do it in 36 tries. I say that Kosygin can do it in one effort with one telephone call: "Hello, Ho. The deal is all over, Ho. We have gotten ourselves in a bad spot. Our people want a little bit more of those consumer goods. They have had a taste of it and we cannot continue to utilize our labor force, our materials and our machinery, to continue sending you all these war supplies. We are going to have to discontinue our assistance. Good luck, Ho, old fellow, but count us out."

We stand a chance to get the war over in that way if our President and his diplomats will use this reservation as a device for influencing Russia to cease its effective program of prolonging the Vietnamese war. That could shorten the war, Mr. President. That will shorten it, in my opinion. President Johnson, having failed 36 times in trying for peace under prevailing conditions, I suggest the Senate make at least this one attempt of its own to open up a new approach to peace.

The President can try for the 37th, the 38th, or the 39th time, but it is a

maladroit system to seek peace by calling upon our enemy to come to the conference table while he thinks he is winning.

The other way I have just described seems to be a lot more realistic, positive, practical, and workable procedure since it will convince our enemy he cannot win because his war supplies from Russia have been shut off.

I think that Senators should vote to insist that we give our boys and our country that opportunity for peace and not deny it by saying, "No, we will just use the same old routine which, after 5 years, and 36 Presidential pleas, and 50,000 casualties, has brought no prospects for peace."

Today, the majority leader stated that the war in Vietnam could go on for many, many years. I am afraid he may be right. This reservation, however, provides a realistic opportunity to end it.

Mr. TOWER. Mr. President, if in fact, the ratification of this Consular Pact could be that illusive first step towards an end to our differences with the Soviets, that step which some felt was taken when administration-pressured, massive wheat shipments to Russia were agreed to, or again when we ratified the Nuclear Test Ban Treaty, or more recently, when by Executive order of October 12, 1966, the shipment of some 400 new types of exports to Russia was authorized, if there were any concrete indication this could be that first step towards world peace, then I would take it unhesitatingly. But let us consider the facts.

Recent efforts by Soviet Russia to undermine freedom, in particular in Vietnam, need little documentation; they are well known to us all. Propaganda-wise, we are today labeled by the U.S.S.R. as an aggressor nation. World opinion mobilization against us is an ever current Soviet tactic. Massive shipments by Russia of arms and ammunition and all manner of military supplies now going into the North Vietnamese hands, are being deployed against our American and Allied troops this very moment.

Mr. President, if ratification were indeed that first step towards peace, the fact that the Soviets have generally never hesitated to disregard any or all parts of our agreements with them, when it was to their benefit to do so, might be overlooked.

Let us overlook almost all, Mr. President, if the adoption of this measure would end present hostilities. Or if we were yet in that cold war period, perhaps this treaty ratification would be in the best interests of world peace.

But from everything we can see, this is not that first step, and most certainly we are no longer in that cold war era. This is an extremely hot war era. The greatest number of American casualties suffered thus far in Vietnam in any 7-day period, occurred just last week.

The January 12, 1967, issue of the Reporter contained a very interesting and enlightening article by Albert Parry entitled "Soviet Aid to Vietnam."

The article made specific reference to reports by a Soviet newsmen and pictures taken by Soviet cameramen who recently accompanied Vietcong guerrilla

March 15, 1967

CONGRESSIONAL RECORD — SENATE

S 3847

units operating within 35 miles of Saigon.

It is from reports like these—

Said Parry—

that we get an impression of the growing Russian presence in Vietnam. The picture can be filled out by bits and pieces of information, some casual and scattered, yet significant, and the Soviet and other East European press; the monitored texts of the surprisingly frequent broadcasts on the subject emanating from sundry East European radio stations; and the reports on the topics reaching us from a wide range of non-Communist diplomats, soldiers, seamen, newsmen, travelers, and other observers in Southeast Asia. And one thing is clear: the Russians are stepping up their aid to Vietnam.

Despite the sheer logistics involved, the Russians are shipping tons and tons of military supplies via the 7,500-mile sea lanes from Eastern Europe. The Soviets themselves claimed not long ago that more than half the vessels entering the harbor of Haiphong were ships of Soviet registry.

I know, Mr. President, that on the day I left the fleet in the Gulf of Tonkin, where I was a visitor aboard the aircraft carrier *Kitty Hawk* some 4 weeks ago, there were 12 ships in Haiphong, one of which was of Hong Kong registry one of which was of Chinese registry, and 10 of which were of Soviet registry.

Quoting further from the Reporter article, "Odessa-Mamma," as the Russians fondly call the port, "is the foremost source of all this traffic. An English-language broadcast from Moscow to southern Asia on December 23, 1965, exulted:

Odessa is the biggest port on the Black Sea. Its busiest route is the one leading to Haiphong. A constant caravan of big merchant ships is plying this lane.

Continuing with the article:

In March 1966, in reply to Chinese charges that the Soviet help to Hanoi was all too scant, the Moscow leaders sent a confidential letter to all fraternal Communist parties. Carefully leaked out to the world at large via the East German Communists (who sent copies to their connections in Bonn), the letter stressed that in 1965 North Vietnam received from the Soviet Union arms and military equipment worth half a billion rubles (\$555 million). The list included rocket installations and conventional anti-aircraft guns, MIGs and other planes, and tanks, coastal artillery, and small warships.

Since the fall of 1965, the number of conventional anti-aircraft guns in North Vietnam has risen from fifteen hundred to at least five thousand; one unofficial estimate in Washington puts the figure at seven thousand.

Mr. President, I note at this point that North Vietnam has the most sophisticated air defense that any of our pilots has ever seen.

I continue to read:

In the fall of 1965 there were only four North Vietnamese batteries firing SAMs. By early October, 1966, this number had risen to twenty-five or thirty, each with six launchers. There were then some 130 sites from which the batteries could operate; twenty per cent were occupied and active in any given time.

Mr. President, the Soviets are not merely supplying arms, ammunition and other equipment. Extensive training

programs within Russia both for North Vietnamese civilians and military personnel are an integral part of Soviet assistance, in addition to extensive technical assistance by Russian experts domiciled in North Vietnam.

I continue to read:

The sheer numerical record is impressive. . . . On March 15, 1966, Radio Moscow boasted that at that time nearly three thousand young Vietnamese men and women were studying in the Soviet Union, and that while a total of 2,300 Soviet experts worked in North Vietnam in the years 1955-1964, some 4,500 Vietnamese experts had been trained in the Soviet colleges and universities by the spring of 1966.

The most significant case in training involves the North Vietnamese air cadets now being taught by Soviet Air Force veterans to fly supersonic MIG-21 jets.

The Mig-21 is the hottest interceptor that the Soviets have. As a matter of fact, it is a very, very fine interceptor, and one that our own aircraft and our own pilots have great difficulty in dealing with.

I continue to read:

One group of cadets succeeds another at graduation ceremonies

. . . . In mid-December western intelligence raised its unofficial estimate of the number of MIGs in Vietnam to 180 or even 200, the latest being some delta-winged MIG-21Cs and -21Ds.

Mr. President, other Communist nations besides Russia, of course, are aiding North Vietnam, with certainly a lot of urging, advice, and assistance from the Soviets.

I continue to read:

Of the "people's democracies" contributing to Ho Chi Minh today, East Germany is probably the most active. Military aid . . . includes arms and electronic equipment especially made to stand up in tropical weather; also motorcycles and bicycles, so important for messenger service on North Vietnam's war-torn roads where automobiles cannot get through easily

I point out that bicycles are a very important war item for the North Vietnamese.

By extending the handlebar and placing a pole behind the seat and pushing it along the road, a North Vietnamese can carry 500 pounds of rice. It does not take very long to figure how many bicycles it will take to move a ton of rice down the Ho Chi Minh trail.

I continue to read:

The major part of Ho Chi Minh's medical supplies seems to come from East Germany, and a hundred East German doctors are reported to be serving in North Vietnam. In addition to the eight hundred Russians reportedly already present in North Vietnam on air-defense missions, some East German officers and men are rumored to be employed in North Vietnam's missile training. In goods and capital aid not directly of the war-material kind, Ulbricht's government is thought to have delivered to Ho Chi Minh from June 1965 to October 1966, a total of \$4 million worth. . . . Besides, regular commerce between East Germany and North Vietnam amounts to over a million dollars a year, consisting mostly of industrial wares going to North Vietnam and some food and consumer goods being sent to East Germany.

It is really interesting to note that with all of the hue and cry from some of our professional bleeding hearts in this

country concerning how we are treating the North Vietnamese, it is interesting to note how the North Vietnamese are treating their own people.

They do not have enough food to eat, and yet they export their food in exchange for war material. I wonder why the bleeding hearts do not jump on them.

I continue to read:

But the bloc's largest economic aid to and trade with Hanoi is, of course, extended by the Soviet Union. Gathered at a summit meeting in Moscow in mid-October 1966, the Soviet Union and its eight allies agreed to give about \$1 billion worth of additional help to Hanoi in materiel and money, of which \$800 million is to come from the U.S.S.R. The others' contributions are typified by the Polish pledge of \$30 million.

. . . . Although precise figures are difficult to obtain, it is estimated that in the ten years through 1964, Soviet economic aid to North Vietnam totaled some \$350 million. . . . Moscow's exports to North Vietnam rose from \$47.6 million in 1964 to more than \$74.8 million in 1965—this of course in addition to some \$555 million worth of arms sent in 1965 alone. . . .

In its German-language broadcast to Germany on June 21, 1965, Radio Moscow declared that of the funds that North Vietnam was then getting from socialist countries (including China), nearly half came from the Soviet Union. A third of this Soviet aid, the broadcast said, was given free of charge. Some fifty industrial enterprises had by then been built or rebuilt with Soviet technical aid. Such Soviet-assisted plants produced . . . about ninety per cent of its coal and more than half of its machine tools. The country's power, mining, engineering, and technical industries were all helped or run by the Russian donors and advisers.

From other Soviet sources we learn that the economic division of the Soviet embassy in Hanoi is in charge of all this aid. . . . An economist staff member (of the Soviet embassy) supervises Soviet engineers and other experts who serve in the expansion of the Haiphong port, at the Hanoi machine-tool works, in the construction of a large refrigerating plant, at an electrical-supply factory, and at the coffee and tea plantations. It is claimed that the machine-tool plant, covering fourteen acres, is entirely fitted out with Soviet equipment.

I am hopeful that that machine-tool plant is one of the targets earmarked for destruction by our gallant Air Force.

I continue to read:

Another staff member of the Embassy's economic division is in charge of other Soviet engineering crews busy in North Vietnam's mines, geological exploration for more minerals and metals, and projects aimed at the expansion of certain of the country's large industrial enterprises. . . .

The nation we are asked to sign this treaty with, Mr. President, is that nation, Soviet Russia, which has it within her power to end that war which has been responsible for the deaths of over 7,000 Americans and for the infliction of over 47,000 American casualties.

Let the Soviet Union bring North Vietnam to the conference table; let the Soviets discontinue their shipment of tons and tons of military supplies into North Vietnam and then let us consider this ratification.

In the colloquy between the distinguished Senator from South Dakota and me a few minutes ago, it was noted that what we are saying here is that we are

S 3848

CONGRESSIONAL RECORD — SENATE

March 15, 1967

not trying to preclude the establishment of bridges between East and West.

What we are trying to do here is simply to say: "By some overt deed or act, show us that you reject war as an instrument of national policy. Show us that you will not foment the takeover of government by military means."

If they want to sell communism on its own merits, I have no objection, because I do not think they can do so in any country that is relatively progressive and prosperous.

Indeed, there has been no establishment of Communist governments in this world without resort to military force.

I understand that some people in this country are concerned because the government in South Vietnam is not a popularly elected government in the sense that we understand popularly elected government.

I point out that there are no governments behind the Iron Curtain that are elected in the sense that we understand an elected government, either.

Mr. President, the opinion has been expressed, and rightly so, that we should be concerned with the protection and well-being of American tourists traveling in Russia. The opinion has also been expressed by many that vastly increased East-West trade will help bring an end to present differences.

Perhaps so, perhaps not. As I have pointed out, the Soviets will likely continue to harass, mistreat, even arrest and imprison our citizens whenever it suits Soviet propaganda purposes. In that connection, it is a little amusing that we are reluctant to allow Stalin's daughter to seek political asylum in this country because we are afraid it would upset our delicate relations with the Soviet Union. If some member of a highly placed American family defected to the Soviet Union, does anyone think the Russians would waste any time in parading that person in Red Square and making all possible propaganda capital out of the situation? Who is really serious about reducing tensions in the world?

And there is no assurance that increased trade will ease tensions.

While I am extremely concerned, as we all are, about the safety of our tourists, I believe that our primary concern should be for those American and South Vietnamese personnel and other Allied servicemen—the gallant Australians, the courageous Koreans, New Zealanders, and others—who are daily risking their lives in the cause of freedom, in order that Vietnam and other southeast Asia nations may determine by themselves, and for themselves, the form of government they and their peoples desire.

First things first, Mr. President. As I have stated, let Soviet Russia help bring this war in Vietnam to an end. Let them bring an end to the loss of American and allied lives. Let there be some tangible, meaningful move toward peace by the Soviets. Then let us consider this treaty.

My able and distinguished colleague, the Senator from South Dakota, has offered a reservation to deter implementation of the Consular Pact until peace or, in effect, concrete moves toward peace

in Vietnam are forthcoming. It is a wise reservation, and I strongly urge its adoption.

If it were adopted, I believe I could reconsider my opposition to the ratification of this treaty. But unless this reservation is adopted, I cannot reconsider my opposition to the ratification of the treaty.

I cannot see why our gestures of friendship toward the Communist countries must always be unilateral. Can we not ask something in return? I do not believe it is too much to ask: "Stop killing our people with your weapons. Stop killing the people of South Vietnam with your weapons. Reject war as an instrument of national policy." The day the Communists reject war as an instrument of national policy, then we will in our time see no war, and perhaps we will see no war for generations to come.

Let us remember who started the war. Plainly, we are not the aggressor.

I listened to some debate today with respect to whether or not we are the aggressor. The clandestine infrastructure for the conduct of war in South Vietnam was created by Ho Chi Minh, with the aid of Peking, before the French had left southeast Asia. Do not think for one moment that everybody who opposed the French now opposes the established government in South Vietnam. I have been in the field with Vietnamese soldiers who won their battle spurs fighting against the French. They fought against the French because they wanted to create in Vietnam a climate in which they could determine and plot their own lives and their own destinies without outside interference. This they cannot do if a clandestine infrastructure, armed, possessed of main force units to fight, brings the people under complete subjugation. Then there will be no popular decisions. Then everything will be dictated from the top.

Let us in the Senate say today to the Soviet Union: "We desperately want to establish these bridges with you. But before we do so, give us some justification. Show us a little good faith. We will overlook the 50-some-odd treaty and convention commitments that you have breached with us. We will overlook the misrepresentations, the scrap paper treatment that you have given us in our sacred commitments to each other, if you will simply, by an overt act, show us that you desire to see a world at peace."

Mr. President, I suggest the absence of a quorum, and I ask unanimous consent that the time consumed thereby be charged to neither side.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, if I may have the attention of the Senate,

I am about to make a unanimous-consent request.

I ask unanimous consent that, immediately following the disposition of the Mundt reservation No. 2, the reservation to be proposed by the distinguished Senator from Nebraska (Mr. CURTIS) be made the pending business; that there be a time limitation of 1 hour, the time to be equally divided between the distinguished Senator from Nebraska (Mr. CURTIS), and the chairman of the Committee on Foreign Relations (Mr. FULBRIGHT), or whomever he or they may designate.

Mr. MUNDT. Mr. President, I have spoken with Senator CURTIS, the author of the reservation. He shares with me the optimistic hope that my reservation will be adopted, in which event his reservation will be unnecessary. But if the fates go against us and my reservation is rejected, he will then offer his reservation immediately following; and if he can have that consideration, he is willing to get along with that amount of time, and we have no objection.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana? The Chair hears none, and it is so ordered.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. Who yields time?

Mr. TOWER. I ask unanimous consent that the time consumed not be charged to either side.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SPARKMAN. We will take the time.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. KENNEDY of New York in the chair). Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MANSFIELD. Mr. President, what constitutes business before the absence of another quorum can be suggested?

The PRESIDING OFFICER. We have not had a completed quorum call today.

Mr. MANSFIELD. Mr. President, is it necessary that business intervene between two suggestions of the absence of a quorum?

The PRESIDING OFFICER. If the Senate completes the quorum call another quorum call would not be in order if a point of order were made.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

March 15, 1967

CONGRESSIONAL RECORD — SENATE

S 3849

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MUNDT. Mr. President, may we have a report on the time which has been consumed?

The PRESIDING OFFICER. The Senator from South Dakota has 60 minutes remaining.

Mr. MANSFIELD. And the other side?

The PRESIDING OFFICER. Approximately 55 minutes.

Mr. MUNDT. Mr. President, I yield 15 minutes to the Senator from Iowa [Mr. MILLER].

The PRESIDING OFFICER. The Senator from Iowa is recognized for 15 minutes.

RESERVATION POINTS UP THE "TIMING PROBLEM" OF CONSULAR TREATY

Mr. MILLER. Mr. President, the pending reservation to the proposed Consular Treaty with the Soviet Union provides that there will be no exchange of instruments—in other words, that the treaty will not take effect—until the President of the United States determines and advises the Congress as follows: First, either that it is no longer necessary for the United States to maintain its combat forces in South Vietnam—which, for all practical purposes would mean that the war in Vietnam is over—or, second, that the withdrawal of our combat forces from South Vietnam is not being prevented or delayed because of military assistance furnished North Vietnam by the Soviet Union.

It will, therefore, be seen that adoption of this reservation will not require renegotiation of the treaty with the Soviet Union, as would be the case of an amendment to the treaty, and that the only thing affected would be the time the treaty became operative. Once the President determines and advises the Congress that either of the two situations exists, the treaty would go into effect.

This reservation points up what I believe to be the principal problem with the treaty. Perhaps this problem can be made more clear by asking whether my colleagues would have voted for this treaty at the time of the Cuban missile crisis. I doubt that they would have, and the reason, of course, would have been that public opinion would have been incensed over such action at a time when the Soviet Union, directly or through its military assistance to Cuba, was posing a threat to the lives of many of our people.

I respectfully suggest that there is a great similarity to the timing of this resolution of ratification, with the Soviet Union furnishing over 95 percent of the petroleum and all of the sophisticated weapons used by North Vietnam against our troops and those of our allies. These weapons do not merely pose a threat, as was the case of the missiles in Cuba. They are actually killing and wounding our people; and the Soviet leaders have made it abundantly clear that they propose to continue to make this assistance available so that the killing and wounding of our people will go on.

While it is true that this is taking place 12,000 miles away, whereas Cuba is only 90 miles off our shores, I simply cannot

see that the mileage has anything to do with the essential nature of the situation. The timing of the proposed ratification is, in my judgment, very bad.

What is the justification for ratifying this treaty? I believe the basic reason was given by Secretary of State Rusk when he said, as shown on page 41 of the hearings record:

I think it is also important for us to try to find those points at which we can put relations on a more normal and peaceful basis wherever possible.

I am aware that there are some who say that the main reason for the treaty is to insure some measure of protection to the 18,000 U.S. citizens who travel in the Soviet Union. And it is true that upon ratification of the treaty by both the U.S. Senate and by the Soviet Presidium these tourists would be assured of notification going to our representatives of their imprisonment and of some visitation privileges by our representatives—although the extent of these visitations is somewhat nebulous. On the other hand, testimony of the Secretary on page 8 of the hearings record reveals that only about eight of our visitors to the Soviet Union per year have been detained; and it is in this context, rather than in the context of the total of 18,000 tourists, that I believe this feature of the treaty's ratification should be considered. Viewed in this light, it is apparent that the Secretary of State's point that we should put relations on a more normal and peaceful basis wherever possible looms as the principal and overriding reason for ratification.

May I say that I believe all Members of the Senate concur that we should strive to have more normal and peaceful relations with the Soviet Union. But this does not mean that we should take this action at all times—during a Cuban missile crisis or during the war in Vietnam. There is a time for action and there may be a time when action might well cause reactions contrary to our national interest. The Secretary's point is well taken, but it does not at all meet the problem of the timing of ratification. It may be suggested that the timing is essential to our national security. I have checked this point out very carefully, Mr. President, and I can state without equivocation that whether this treaty is ratified now, 6 months from now, or 2 years from now will not have any material effect on our national security. In other words, there is no urgency at all for the ratification of this treaty. Indeed, even if it were ratified, we have been told by the proponents that it might not be for years that consulates would be established. No one has yet come forward with any reason or reasons why this treaty must be ratified now rather than, say, a year from now.

There has been much discussion about building bridges. I want it understood that I will not take a back seat to any Member of the Senate as far as concerns a desire to build the right bridges at the right time. I supported the cultural and scientific exchange program. I believe the exchange program, on a people-to-people basis, will provide a means for greater understanding between the peo-

ples of our two countries. But at the same time that I say I will support building the right bridges at the right time, and it may well be that this particular treaty is a bridge—I do not know whether it is or not; no one really knows; we can all recognize its pluses and minuses—but assuming it is a bridge, that does not mean this is the time for it.

I remember the time of the proposed ratification of the limited nuclear test ban treaty in 1963, when it was heralded as a shaft of light in the darkness, when it was heralded as a step forward. I said, at the time I made my speech, that I would support ratification, but no one knew whether it was a shaft of light in the darkness or whether it was a step backward or a step forward. It would be years before we would know.

I invite the attention of the Senate to a statement I made within my statement on the nuclear test man treaty ratification, in which I was pointing out that it seemed to me the ratification of the limited nuclear test ban treaty under those circumstances constituted an accommodation policy with the Soviet Union, whereas, in my judgment, history had shown that a policy of firmness was more effective than a policy of accommodation. I said at that time:

I could be wrong when I say that a policy of firmness is the one to follow, rather than a policy of accommodation, and I hope I am. I do know that when we have followed a policy of firmness—as we did in Berlin and as we did during the briefly imposed Cuban blockade—it has worked. But if a majority of my colleagues in the Senate feel that we should follow a policy of accommodation and ratify the treaty without a meaningful first step by the Soviet Union first, then I will go along—with this clear understanding: I want to see a meaningful first step by the Soviet Union, clearly demonstrating a change in policy, before ratifying any amendments to this treaty or any other treaties with the Soviet Union affecting the security of our country.

The distinguished senior Senator from Ohio [Mr. LAUSCHE] stood on this floor a few days ago and said, "I want someone to show me one step—one meaningful step—the Soviet Union has taken toward a detente," and I do not think a single Senator rose to answer him.

I repeat those words. Since the ratification of the limited nuclear test ban treaty I have not seen a single step. As a matter of fact, I suggest our relations with the Soviet Union are worse today than they were at the time of the ratification of the limited nuclear test ban treaty. And I suggest that our relations with the Soviet Union may well be worse a year from now if we ratify this treaty at this particular time, because a psychological propaganda war will be waged by the Communist world and adopted by the Soviet Union as a result of the ratification of the treaty. I suggest it will weaken our position in the eyes of our allies and many neutral nations in the world if we, in the face of what is happening in South Vietnam today, ratify this treaty at this particular time.

There is another aspect to this question, and that is its impact on the morale of the over 400,000 men representing

S3850

CONGRESSIONAL RECORD — SENATE

March 15, 1967

this country in Vietnam, not to mention the men from our allied countries. I know it is said that about 18,000 American citizens travel in the Soviet Union each year. I recently received a letter from a friend who was there last year. He said during his trip through Russia the train on which he was riding had been stopped. His party had been taking pictures. He said that for a few minutes there was anxiety, because they knew they might be thrown into a Soviet prison and it might be weeks or months before anybody would know about it.

He said:

I hope you will see fit to vote for ratification of this treaty, so that these anxious moments will not be gone through by future tourists to the Soviet Union.

I have already pointed out that only an average of six persons a year have actually been detained, according to the Secretary of State. I am concerned about the anxious moments of our tourists in the Soviet Union, but I am much more concerned about the anxious moments and the morale of the more than 400,000 troops fighting in South Vietnam, who were ordered to go there, who did not go there voluntarily as our tourists go voluntarily to the Soviet Union.

Mr. President, when I left Vietnam a year ago, I said that after visiting the wounded in the hospitals and after talking to the troop leaders who have to write the letters home to the wives or parents of the boys who will not be coming back—"If we are going to make any mistakes, let us make a few mistakes on their side." If there is going to be an error about whether this treaty should be ratified now or a year from now, let us make a mistake in favor of the troops in South Vietnam.

There are some who say that the Soviet Union really wants to be the great catalyst for bringing peace to southeast Asia. Perhaps that is so. There may have been some statements to that effect.

But there have certainly been some statements not to that effect. Mr. Kosygin stated very bluntly that the Soviet Union was going to continue to furnish all the military support necessary for North Vietnam, that they were going to support fully the defeat of the "American imperialists" in South Vietnam. That does not sound to me as though they have any intentions of serving as a great peacemaking catalyst in the war in South Vietnam.

I might also point out that the policy of the Soviet Union has been, for a number of years, as announced at the time of Mr. Khrushchev's tenure in office, that the Soviet Union was going to wage an economic war with the United States, and it was going to win that economic war. Incidentally, they will continue to maintain military might, so that if necessary they can use military power to defeat us; but their first choice apparently is to defeat us on the economic front.

I ask, Mr. President, when the United States—the "enemy" according to Mr. Khrushchev and his successors on the economic front—is spending \$20 to \$30 billion a year on the war in Vietnam, with more than 400,000 of its finest men in

South Vietnam, and the Soviet Union is spending only \$1 or \$2 billion, with none of its manpower being used, does it not seem that this is a pretty good trade off, as far as the Soviet Union is concerned?

The PRESIDING OFFICER. The Senator's 15 minutes have expired.

Mr. MILLER. I yield myself an additional 5 minutes, Mr. President.

If in fact they are interested in defeating the United States on the economic front, I would say they will gain an advantage by continuing the war in Vietnam, rather than serving as the great peacemaking catalyst to bring it to an end. To me it is deeds that count, and not words. If the Soviet Union really wants to bring the war in Vietnam to an end, the best way to do that is to cease and desist from supplying the 96 percent of the petroleum and all the sophisticated weapons to North Vietnam. There are many of our military leaders who advise that if that were to happen, the war in Vietnam would come to a very quick end.

I think that we might do well to recognize that this treaty is desired by the Soviet Union. Statements have been made that the United States took the initiative on the treaty. We did take the initiative, but not on this particular treaty. We took the initiative on a consular treaty back in the Eisenhower years; but there was nothing said at that time about providing immunity from criminal prosecution of consular officers. On the contrary, we have the testimony in the record that this particular provision of immunity from criminal prosecution—the first ever to appear in a Consular Treaty—was inserted in this treaty during the negotiations at the instance of the Soviet Union, not at the instance of the United States. That is one very big reason why the Soviet Union wants this treaty.

I say that if they want the treaty, they should let us see a meaningful step on their part to bring the war in Vietnam to an end. If they do not wish to take that meaningful first step, Mr. President, I suggest that we are not going to get very far in meeting the objectives set forth by Secretary of State Rusk; namely, that we put relations on a more normal and peaceful basis whenever possible. Everyone wants to put those relations on a more normal and peaceful basis, but that will not arise because of ratification of this treaty. If the Soviet Union is not willing to take some steps to bring the war in Vietnam to an end.

There is much confusion in the country, Mr. President, regarding this administration's policy on Vietnam. I happen to be one of the many Senators, from both sides of the aisle, who have supported that policy from its inception. I voted for the Tonkin Gulf resolution, and I believe I knew what I was voting for at that time, even though there are some among us who voted for it, who now say they did not know what they were doing. My guess is that most of us knew well what we were doing.

But I am concerned that there is an apparent misunderstanding around the country, on the part of a good many people, over our policy in South Vietnam.

One reason might well be inconsistent actions and statements on the part of the administration. Here we are, asked to ratify this consular treaty at the time the war in Vietnam is going on. The Secretary of State has come over and said that he thinks that this would be a plus, that it might be helpful in bringing about more normal and peaceful relationships; and yet you can pick up a publication from the Department of State, setting forth the Secretary's views and those of Gen. Maxwell Taylor, an administration witness, entitled "The Heart of the Problem," relating to the war in Vietnam, and find such statements as the following. I quote first some of Mr. Rusk's statements. On page 1 he says:

But we are in Viet-Nam because the issues posed there are deeply intertwined with our own security and because the outcome of the struggle can profoundly affect the nature of the world in which we and our children will live.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. MILLER. Another 5 minutes, Mr. President.

If that is so, then since when are we entering into a Consular Treaty, a bilateral treaty, for the first time in recent years, with the chief supplier and equipper of the enemy in South Vietnam?

Secretary Rusk went on to say:

What are our world security interests involved in the struggle in Viet-Nam? . . . We must recognize that what we are seeking to achieve in South Viet-Nam is part of a process that has continued for a long time—a process of preventing the expansion and extension of Communist domination by the use of force against the weaker nations on the perimeter of Communist power.

This is the problem as it looks to us. Nor do the Communists themselves see the problem in isolation. They see the struggle in South Viet-Nam as part of a larger design for the steady extension of Communist power through force and threat.

Then further on he says:

But the Communist world has returned to its demand for what it calls a "world revolution," a world of coercion in direct contradiction to the Charter of the United Nations. There may be differences within the Communist world about methods, and techniques, and leadership within the Communist world itself, but they share a common attachment to their "world revolution" and to its support through what they call "wars of liberation."

Then General Taylor had this to say:

Kosygin told Mr. Reston in his interview of last December:

"We believe that national liberation wars are just wars and they will continue as long as there is national oppression by imperialist powers."

Before him, Khrushchev, in January 1961, had the following to say:

"Now a word about national liberation wars. The armed struggle by the Vietnamese people or the war of the Algerian people serve as the latest example of such wars. These are revolutionary wars. Such wars are not only admissible but inevitable. Can such wars flare up in the future? They can. The Communists fully support such just wars and march in the front rank of peoples waging liberation struggles."

These statements were made in 1966, and I must say that people who read

March 15, 1967

CONGRESSIONAL RECORD — SENATE

S3851

those statements by Secretary Rusk and General Taylor and agree with them—as I do—find it very difficult to reconcile them with the urgent request by the administration to ratify this treaty at this time.

Mr. President, I hope this reservation will be adopted. I hope that it will be adopted, because I think it will be good for the morale of more than 400,000 men from the Armed Forces and those who will be following them and those who are lying in the hospitals and the parents and the relatives of those who will not be coming back.

If the reservation is adopted, then I can conscientiously vote for this treaty. However, unless this reservation, or something very much like it, is accepted, then I regret very much that I cannot in good conscience vote for the ratification of the treaty.

Mr. THURMOND. Mr. President, will the Senator yield?

Mr. MILLER. I yield.

Mr. THURMOND. Mr. President, I take this opportunity to commend the able Senator from Iowa for the magnificent address he has just delivered. I associate myself with his remarks on this subject.

The point the Senator made about the psychological effect, in my judgment, is a very important point.

If the United States, through the Senate, ratifies this treaty, it will indicate to the world that we can now trust the Communists, that we are willing to enter into an agreement with them and extend the hand of good friendship at the very time that they are providing munitions, armament, and equipment—90 percent of it—in Vietnam to kill our soldiers there.

Not only will it have a psychological effect from that standpoint, but I can also visualize that it will have a bad psychological effect on our men fighting in Vietnam.

I dare say that if a poll were taken today of the American soldiers in Vietnam, not 1 percent of them would favor the ratification of this treaty. I do not believe that 1 percent of them would want their Senators to vote for the treaty.

Mr. President, it is my firm judgment that, from a psychological standpoint, from the standpoint of affecting other nations in the world, it will mislead other nations as to our true intentions toward the Soviets, unless our Government has reached the point where it feels it can trust them. Sometimes I wonder if some in the Government have not reached that point. However, the people of America certainly have not. I believe that the people of America still feel that they cannot trust the Soviets.

A witness testified only last week before the Internal Security Subcommittee concerning Cuba. He testified about the missiles that are now in Cuba. We have eye witnesses to the fact that some of the missiles that were alleged to have been removed in 1962 have been brought back to Cuba.

I do not believe that the American people want to enter into this agreement at a time when Russia is furnishing all

the equipment to fight the war and thus give the impression to our men over there that we are willing to enter into an agreement with the enemy that is supplying the armor and the weapons with which to kill them.

I commend the Senator for the fine speech he is making.

Mr. MILLER. Mr. President, I thank the Senator from South Carolina for his gracious comments.

Mr. President, I wish to point out another thing, and that concerns the attitude of the Soviet Union once this treaty is ratified at this particular time. Without the reservations, such as the one pending before us, it would indicate to the leaders in the Kremlin that they do not have to take a meaningful first step in order to obtain concessions from the United States.

I think it is about time for the United States to make it clear that, while we are ready, willing, and able to enter into better arrangements and better relations with the Soviet Union, if they want a treaty, then they had better be taking some meaningful first steps.

Mr. President, if we do not do that, this would mean that we are continuing to follow a policy of accommodation. All that I know and all that I have heard from those who are the most knowledgeable in handling communism and Communist aggression indicates that it is a policy of firmness and not accommodation—which works.

If there is someone who can show me that a policy of accommodation has worked, I would like to see his evidence.

I pointed out at the time I voted for the nuclear test ban treaty that I thought this would be in the area of an accommodation policy. I said I hoped that we would see some meaningful first steps follow afterward.

There have been none. There may have been some talk, but there have not been any meaningful first steps.

I regret very much that our relations today with the Soviet Union, especially as they concern the war in Vietnam, are worse than they were then. I hope that I am wrong. However, I suggest that if we do not let the Soviet Union know that we must have some meaningful first steps before we enter into these treaties, the relations will get worse and not better.

Mr. President, I yield the floor.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum and ask unanimous consent that the time for the quorum not be charged to either side.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MUNDT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MUNDT. I yield 10 minutes to the distinguished Senator from Nebraska [Mr. HRUSKA].

Mr. HRUSKA. Mr. President, I support the reservation proposed by the Sen-

ator from South Dakota, of which I am a cosponsor, and which is to be voted upon shortly.

In the debate yesterday, and in the RECORD of the debate on earlier days, my attention has been called to, and I have been somewhat intrigued by, the opposition of the State Department to these reservations. The Department's objections are based on the ground that if the treaty were ratified, "reservations or understandings by the United States would give the U.S.S.R. an opportunity to qualify or interpret its own obligation under the treaty in ways that would deprive this country of the treaty's important benefits."

That statement appears in a letter signed by the Secretary of State.

In another letter, signed by the Assistant Secretary for Congressional Relations, we have comment on the reservation proposed and voted upon yesterday, that the immediate consequence of an effort to adopt this reservation "would be to kill the convention."

Mr. President, I wonder how much different is the attitude of the so-called detente mentality which has developed, particularly in these last 4 years. We are supposed to have developed a detente, a relaxation of tensions between the United States and the Soviet Union. It has been said that the events of the detente have produced what one may call a detente mentality. This has become a dominant mentality, one which influences the bulwark of research and writings on this so-called relaxation of tensions.

At best, this mentality is a state of mind which places above all other considerations the desire to resolve our differences with the Soviet Union, even if it would require fundamental concessions on our part to achieve that goal.

There is a body of opinion which now holds that any measure which our country takes to strengthen its security will damage further progress of this detente and, therefore, tend to encourage hard line leaders in the Kremlin. Thus, even in the field of national security the United States should refrain from taking action which would upset or provoke Soviet leadership.

According to the proponents of these theories, which are followed by the idea that we must develop interdependence with the Soviet Union so that it will move closer to the capitalistic policy and our country will move closer to the Communist policy—God forbid the day—we should give every assurance that the United States has peaceful intentions and that we do not intend to engage in aggressive activities against the Soviet Union.

Some of these proponents go so far as to argue that the United States must not engage in provocative actions of any kind which would serve as a deterrent to further development of peaceful and proper relations between the Soviet Union and the United States. These provocative actions to be refrained from would include the improvement and increase in the U.S. strategic superiority, even in the building of an antiballistic missile system.

S 3852

CONGRESSIONAL RECORD — SENATE

March 15, 1967

Somehow it seems all right for the enemy to install such a system, but when we think in terms of installing similar weapons, or something that will protect our cities, we are dealing in undesirable action.

This is difficult logic to follow. One must wonder as to the position of the State Department in saying: "Oh, let us not adopt any reservations. Let us not provoke the other side because they might not agree to the treaty. Let us do what they say. Let us not disturb their peace of mind and the assurances we give them. Let Congress advise and consent to the treaty by agreeing to it, but not by giving our best judgment as to what should be added to or taken away from the context of the treaty."

I wonder if this is not pursuing the same line where we say, "Let us not engage in the business of provoking the other side." I think we have indulged in that obstreperous attitude far too long for the good of this country.

Mr. MUNDT. Mr. President, will the Senator yield?

Mr. HRUSKA. I yield.

Mr. MUNDT. I was interested in the phrase "detente mentality" which the Senator used. It calls to mind that there used to be a little statement which was generally used around this country a few years ago that said: "Praise the Lord and pass the ammunition."

I do not believe that a detente can evolve or flourish in an atmosphere in which the Russians pass the ammunition to Hanoi, and we do nothing but praise the Lord. Is that not correct?

Mr. HRUSKA. That is an unequal division of responsibility.

Mr. MUNDT. It looks as if we are going to get the sticky end of the deal. I can understand how they are able to shore up their economy to have bread and butter, arms to Hanoi, and an antiballistic-missile system around Moscow that the Secretary of Defense has said we cannot afford to have in the United States.

It looks as if this is not as a detente should, which would be equality of relaxation between the two countries.

Mr. HRUSKA. I also wonder when there is a constant reaffirmation of the historic goals of the Soviet Union and the means whereby they expect to achieve them, which has been repeatedly brought to the attention of the world in the celebration of their 50th anniversary.

Why should we not be provoked, too, by the program they announced and declared, and have been following, in their Tricontinental Conference of January 1966? We have the right to be not only concerned, but provoked. We have the right to be provoked by the large military budget the Soviet Union announced only recently, which is caused by the help they have been extending to Vietnam. Of course, their help in Vietnam is something that sorely tried the passions of those considering this subject.

Mr. MUNDT. Mr. President, will the Senator yield?

Mr. HRUSKA. I yield.

Mr. MUNDT. Relative to a detente, I hold in my hand the daily report of for-

eign radio broadcasts, which are monitored in this country. The transcripts are made available to Senators who wish to read them from day to day. I believe the Senator will be interested in a radio broadcast emanating from Pravda on March 3, about the Vietnamese war and our part in it:

The aggressors will not succeed in forcing them to their knees. The Soviet Union and other Socialist countries will render them all necessary aid in their heroic struggle.

That does not sound like a detente to me, or a desire to decrease the supply of arms to Vietnam.

Mr. HRUSKA. The Senator is correct. His observation makes good sense.

Mr. President, in conclusion, this entire matter boils down to how one views the Soviet Union and the international Communist movement today. If the international Communist movement is truly undergoing deep and profound change and is now charting a course of cooperation with emphasis on peace rather than conflict, then those who argue the detente mentality for restraint on the part of the United States and ratification of this treaty are entirely correct. If, on the other hand, the Soviet Union has not undergone a meaningful change in long-range terms, vis-a-vis the world, and if it persists that its ultimate goal is victory over the United States and other non-Communist countries, then the decisions made in the spirit of the detente in such matters as ratification of this treaty are wrong and would endanger our national security in a most meaningful way.

The help extended militarily and economically by the Soviet Union to the North Vietnamese and the Vietcong has well been documented. It is there as a harsh fact. It is the elimination of that help before we implement this treaty that is the essence of the reservation which has been proposed by the distinguished Senator from South Dakota.

It is my hope that the Senate will approve that reservation, and the proposition that we should remove that element if this treaty is to be adopted and become effective.

Mr. President, there is another matter that we will get to later in the debate. For 180 years we have had these consular treaties and functions of consulates without the absolute criminal immunity, this treaty contains. Now, all of a sudden, we have to make that concession to the one and only country that is making it possible for the continuance of hostilities against 500,000 American boys that will be in Vietnam by the end of this year. The figure is now in excess of 400,000. That is what is difficult for those to understand who have studied this subject.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MUNDT. Mr. President, I yield 2 minutes to the Senator from Iowa.

The PRESIDING OFFICER. The Senator from Iowa is recognized for 2 minutes.

Mr. MILLER. As a footnote to the examples the Senator has been giving, to put this detente mentality in its proper perspective, I invite the attention of

Senators to page 12 of the committee report accompanying the Consular Convention's resolution of ratification in which are quoted some statements made in the Tricontinental Conference held in Havana, Cuba, in January 1966, by the head of the Soviet delegation, Sharaf R. Rashidov, who said:

The Soviet delegation came to this Conference to promote in every conceivable way the unity of anti-imperialist forces of the three continents so as to unfold on a still greater scale our common struggle against imperialism, colonialism, and neocolonialism headed by the U.S. capitalists.

The final declaration of the Conference read, in part:

The Conference hereby proclaims that the primary task of the peoples of Asia, Africa, and Latin America is to intensify the struggle against imperialism, colonialism, neocolonialism, and to win and consolidate national independence especially against the exploitation practiced by the Yankees. The merging of efforts will turn active solidarity on our continent into a new historical force of colossal dimensions.

I ask the Senator from Nebraska, is this not another example, and a recent one, of the lack of detente mentality on the part of the Soviet Union?

Mr. HRUSKA. There is no question about it. I think that is one of the methods by which the Soviet Union has expressly denied the existence of any change for the better in their relationships with us. Certainly, the pledge to continue to form training schools for sabotage and espionage, and for increasing their assistance to various wars of national liberation to which they have committed themselves in Havana is no evidence of that detente or relaxation of tensions, unless we want to lull ourselves into a false sense of security.

Mr. MUNDT. Mr. President, I now yield 10 minutes to the distinguished Senator from New Hampshire, who is one of the coauthors of the pending reservation.

The PRESIDING OFFICER. (Mr. HOLLINGS in the chair) The Senator from New Hampshire is recognized for 10 minutes.

Mr. COTTON. Mr. President, I thank the distinguished Senator from South Dakota for yielding to me at this time. I have not taken much time in the debate and appreciate having this time.

Mr. President, in my opinion this reservation is of paramount importance. It goes to the very heart of my objections to the consular treaty. I do not wish to speak disparagingly or without due and careful regard to the importance of any international agreement, but I am compelled to feel that the importance of this treaty, in and of itself, has been greatly exaggerated and overestimated by both proponents and opponents.

To be sure, the matter of immunities from criminal prosecution given to consular officials and employees under this treaty can well be a matter of concern, but I do not feel it is a very dire matter. It is not of such importance as to make the treaty a menace to the safety of the United States.

The matter of bringing more Soviet spies and agents into this country has been talked about. But we live in an

March 15, 1967

CONGRESSIONAL RECORD — SENATE

S 3853

open society. Indeed, it would not be a subject of great amazement to me to learn that the Soviets knew more about our defense secrets, our defense establishment, and other facts about our country than the Congress.

Further, I would expect that in an exchange of consulates, American officials and personnel in such a consulate in the Soviet Union, or anywhere else, would be neither deaf nor blind. The matter of listening posts and the gathering of information could be a two-way street.

Then, of course, I have due regard to some of my colleagues who are concerned because they view this proposed treaty as an entering wedge or an opening gun for a long list of concessions, agreements, and treaties with the Soviet Union. These include East-West trade, the space treaty on military use of outer space, and various other suggestions that will undoubtedly, from time to time, come before the Senate.

But, after all, this is the treaty we are considering. There is no reason why we should not consider it alone without complicating it by trying to connect it with other proposals.

There is ground for apprehension that the history of Soviet disregard of solemn covenants and obligations over the past would make one less than confident that this convention, or agreements resulting under it, would be carried out faithfully and fully. That is why the Senator from New Hampshire is not greatly impressed by all the arguments of the proponents of ratification at this time to the effect that the treaty will throw a cloak of safety around Americans who are traveling, or who find themselves in the territory of the Soviet Union.

I doubt very much whether this treaty, or any agreements entered into under it, will change in any marked degree the dangers that might—I say “might”—be faced by Americans in the Soviet Union. While I join other Senators in the desire to protect the safety of every American citizen, wherever he may be, I must confess that I do not regard that as a subject of the deepest concern in this instance. Rather, I should say there are matters of greater concern than our trying to make more safe, more convenient, and easier the pathway of Americans who are traveling in the Soviet Union. Incidentally, these Americans are carrying American dollars into the Soviet Union, thus stimulating the economy there.

No, while the matters that I have touched upon are matters of concern, I believe they have been greatly overemphasized. To me, the important point of consideration today, and of a subsequent day when we must all stand up and be counted on the ratification of this treaty, the matter that stands out, to the Senator from New Hampshire, is the timing of the convention. It is being proposed at a time, as has been said, and as we all know, when it is not a question of lessening tensions in a cold war, because we are no longer in a cold war—we are in a hot war.

I repeat what I said the other day in the Senate: Who is our adversary in this war? Ostensibly, it is the North Viet-

namese and the Vietcong. But there is not a Senator who does not know and who would not freely admit that the North Vietnamese and the Vietcong could not conduct this contest more than a few weeks, at the most, without outside help and supplies.

Our adversary is not Red China—at least, not recently—because Red China has problems of its own. Our adversary is the Soviet Union, and the Soviet Union alone. The Soviet Union alone has the power to stop this war and bring all of the combatants to the negotiation table within a very few days or, at the most, a couple of weeks.

All they have to do is shut off the missiles, the guns, the supplies, the oil, the trucks, and all the sophisticated weapons that they are furnishing. That is why I say the timing of this proposed treaty is so important.

There is also a psychological impact involved. It has been said on this floor that defeating this convention would not end the war or perhaps hasten the end of the war. It can be said equally that adopting and ratifying this treaty would not shorten the war or end the war.

I doubt very much if the Soviet Union really cares enough about this proposed treaty to allow its adoption and its ratification to materially change its attitude and its actions in the present conflict.

It has been said by many of the proponents of ratification at this time that we are the ones who are asking for the treaty. We are the ones who are pressing it. It has been asserted by those who are supporting it that the slightest variance in its terms will mean the Soviets will be released from an agreement they have entered into reluctantly and want to get out of.

If that fact is true, we are not going to hasten the end of the war by ratifying a treaty to which the Soviets, according to the supporters of the treaty, are so utterly indifferent.

The psychological impact is something to be reckoned with. I have served in the Congress for 20 years, and in the Senate for 12 years. I have never served on the Foreign Affairs Committee of the House or the Foreign Relations Committee on the Senate, nor have I had the opportunity that Senators on that committee have enjoyed of having firsthand information. But many times during those years I have been one of those who have gone to the State Department and been briefed on international affairs.

I have in mind this afternoon, one day when several Senators—two of them still Members of the Senate—by request went there and had a long and personal conference with John Foster Dulles. I have never forgotten some of the things he said to us that day. One of the things that lingers in my memory and that I am thinking about today is when John Foster Dulles said: “Remember this. The Communist world, the Communists, and the Communist dictators, respect nothing but strength. There is no surer way to invite their aggression, there is no surer way to bring us to a conflict with them, or keep us in conflict with them than to grovel and crawl and beseech and beg in our endeavor to bring about good relations and peaceful relations. To them

any such display means one thing. It means weakness, and the only thing they respect is strength.”

It is hard for me to understand why, after the treaty has been delayed for 2½ years, it should be pressed at this time. There have been whispers. I guess we all know about them. I think we have all heard them. There have been whispers in the cloak rooms and in the corridors that there is some great gain to be brought about, which we do not know about and which cannot be disclosed to us. The implication is that if at this time we ratify the convention we can look for some softening in the attitude of the Soviets or some relaxation of their ruthless and relentless warfare against Americans in Vietnam.

In the first place, if they said so, I would hardly believe it. But if it were true that there had been any such communication on the part of the Soviet Union, I see no reason why it should not be disclosed to Members of the U.S. Senate, who, under their oaths of office, are compelled to vote either for or against ratification of this treaty.

I find it hard to believe that any one of my colleagues on either side of this aisle is not a perfectly safe repository for secrets or for classified information that is important to the safety of this Nation. I do not mean that we should all be given all the classified information, down to the smallest details, of our Defense Establishment. But I do say that when a Senator is compelled to vote for or against ratification of a treaty he has a right to have all the facts before him prior to the time he casts a vote on the treaty.

So I discount all these rumors and whispers that there is some great, deep, dark secret surrounding this convention at this time, involving something that we are going to gain but about which we cannot be told.

Discounting that, the question remains why now? I return to the point where I started—and I am nearly through, Mr. President. Why the timing? Why should we enter into this convention at this time? Why now when Soviet guns are killing our sons?

It is all right to talk about softening our relations with the Soviets. It is all right to talk about building bridges of friendship, and about the future. All of us hope for the time when the hostility that has separated this world into two armed camps shall cease, or at least be softened.

But you do not install a sprinkler system when your house is on fire. You do not renew your insurance coverage when your house is on fire. Those are things that you do in preparation for the future, but you do not do them, you cannot do them, and it is useless to attempt to do them, while the conflagration is going on.

That is why the Mundt reservation, to my mind, goes to the very heart of the problem before the Senate. If we are to ratify this treaty, let it be with the reservation—not the understanding, not the hope, not the suggestion, but the ironclad reservation—that it shall not take effect while the Soviets are pouring their arms, munitions, supplies, and oil into North Vietnam, and transporting

S3854

CONGRESSIONAL RECORD — SENATE

March 15, 1961

them in their trucks and their vessels on to South Vietnam, for the purpose of killing the men whom we have drafted and sent to South Vietnam. Whether properly or improperly, our soldiers are there and we sent them there. There is not a Member of the Senate who does not share, to a degree, the responsibility, although obviously the executive branch of the Government bears the greatest responsibility.

This treaty, we have been told, is beneficial, but it is not vital. It is just a little overture, a little softening, a little thaw in the frost of misunderstanding.

If that is so, let it take effect when the fighting has ceased in South Vietnam, or when the President is satisfied that the Soviet Union has ceased to be our real adversary and antagonist there. It is just as simple as that.

I am quite sure I could have voted for this treaty 3 years ago, before we found ourselves in this death struggle. I am quite sure I could vote for this treaty if it is recommended after the shooting stops. But, Mr. President, I cannot vote for it today. That is why I say the timing is so important. That is why I say that the Mundt reservation goes to the very heart of the problem. And, while we are here to do our duty, and, Mr. President, I cannot imagine a greater stimulus, psychologically, a greater reassurance to our people and a greater declaration to the world—not just to our enemies, but to the world—than a vote of the U.S. Senate which says: "Yes, we are willing to open doors. We are willing to enter into agreements for consulates. We are willing to pave the way for people to travel back and forth between the Soviet Union and the United States. We are willing to increase trade. We are willing to go halfway, and more than halfway, in softening the hostilities. And we are even willing to take the first step by ratifying this treaty recommended by the President of the United States, through his State Department, provided, and repeat, provided, that the actual agreements under this treaty shall not be entered into, or take effect, until the hot war is over and the shooting stops in South Vietnam."

Mr. President, to me this particular reservation goes to the very heart of the question. I earnestly hope it will be adopted.

Mr. MANSFIELD. Mr. President, will the Senator from Arkansas yield to me?

Mr. FULBRIGHT. Mr. President, I yield 1 minute to the majority leader, and then 10 minutes to the distinguished Senator from Vermont (Mr. PROUTY).

MODIFICATION OF UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, with the knowledge and concurrence of the Senator from Nebraska (Mr. CURTIS), I ask unanimous consent that instead of 1 hour of debate, equally divided, being allowed on his reservation, there be a half hour.

Mr. CURTIS. Mr. President, reserving the right to object—and I shall not object—that will be satisfactory to me, because my reservation deals with matters we have discussed at some length.

I believe if Senators will remain in the Chamber, we can dispose of it rather quickly, without much delay.

Mr. MANSFIELD. That is encouraging news.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana? The Chair hears none, and it is so ordered.

Mr. MUNDT. Mr. President, may I take 30 seconds to express my appreciation to the distinguished Senator from New Hampshire, a cosponsor of the reservation, for his very concise and compelling argument, and for bringing his clear-cut New England logic to bear on the discussion of this highly important reservation?

While we have enough Senators present, I ask for the yeas and nays on the pending resolution.

The yeas and nays were ordered.

The PRESIDING OFFICER. Mr. Senator in the chair. Who yields time?

Mr. FULBRIGHT. Mr. President, I yield 10 minutes to the Senator from Vermont.

Mr. PROUTY. Mr. President, I certainly feel that the arguments of the proponents of ratification outweigh those advanced by those opposed to it, and that certain advantages will accrue to the United States if ratification is approved—I might say without crippling reservations.

Mr. President, if looking to the future, we could hope for nothing more than these relatively minor benefits, I would lose little sleep whatever the outcome when the final vote is taken on ratification.

But to me, Mr. President, favorable action on this question might open up new vistas of major significance.

In the words of the late President Kennedy, though used in a different context of course, it could be "the first step in a journey of a thousand miles."

It could expedite an eventual breakthrough of the barrier of mutual distrust which characterizes the relationship of the United States and the Soviet Union.

But one might ask: Does the leopard change its spots? Does not the Soviet Union still embrace the concept of world communism? Is there not a seemingly constant ideological confrontation between the United States and the Soviet Union?

Obviously, the answer to each of these questions must be in the affirmative.

Why, then, do I feel that ratification might produce results far greater in scope and significance than those envisioned in the Consular Convention?

First, because I believe that anything which affords an opportunity for closer contacts between men or nations inevitably leads to a better understanding of differences and problems to be resolved.

Favorable action by the Senate on the Consular Convention could germinate the seeds of greater accord in the years ahead, and provide harvests of good will—perhaps sparse at first, but becoming more bountiful with the passage of time.

I referred earlier to the distrust with

which the Soviet Union and the United States view each other. We think we have had every reason to question its actions and motives. Undoubtedly, its leaders have doubted our sincerity of purpose.

Throughout history national ambitions, fear, pride, internal and external tensions, and a willingness to engage in armed conflict have brought on wars which, fortunately, mankind has been able to endure.

But, Mr. President, except for the very youngest of us we are now living in a world vastly different from the one in which we were born. And our chief objective must be to prevent the destruction of man by the products of his own inventive genius.

I know that our leaders are fully cognizant of the inherent danger. I am certain, too, that the leaders in the Kremlin, pragmatists that they are, must realize that if the two most powerful nations existent are unable or unwilling to face up to problems of mutual concern, the future is indeed bleak for the people in the United States, for those living in the Soviet Union and, indeed, for all the inhabitants of a really very small world.

Mr. President, a few weeks ago I received a letter from a 10-year-old Vermont boy who indicated a desire to enter the Naval Academy at Annapolis. I read from my reply:

I pray that long before you reach college age, the people in all nations and their leaders will have renounced war as a means of implementing national policy.

Should this come to pass, neither the Naval Academy nor the other service academies have need to train young men to fight and kill other young men.

Instead, they can concentrate entirely on guidance in peaceful pursuits, and the huge sums now spent for instruments of mass destruction could be diverted to programs designed to bring about a fuller and richer life for all mankind.

Mr. President, if civilization is to be preserved, if the futures of our children and grandchildren are to be assured we must never wander from the road leading to lasting peace.

Perhaps, Mr. President, ratification of the Consular Convention without crippling reservations will help speed us on our way.

I yield back the remainder of my time.

Mr. MUNDT. Mr. President, I yield 2 minutes to the distinguished Senator from California.

Mr. MANSFIELD. Mr. President, I also yield 2 minutes to the Senator from California.

The PRESIDING OFFICER. The Senator from California is recognized for 4 minutes.

Mr. MURPHY. Mr. President, I compliment the distinguished Senator from New Hampshire on a very clear and effective statement of the case.

I have listened in this Chamber with great attention for many days now to the advantages and the disadvantages and the possibilities and the practicability of this convention.

It seems that there is great agreement on many points. There is not the slight-

March 15, 1967

CONGRESSIONAL RECORD — SENATE

S3855

est question that every man in the Chamber wants to see peace, not only in Vietnam, but also throughout the world, but peace on the basis of freedom, to assure the right of self-determination of nations.

In my lifetime I have seen three wars based on this belief.

I can remember that at the time of the first war they said: "Might does not make right." I believed that then and I believe it now.

In the second war we were going to make the world free for democracy. When I say democracy, I mean government by our means, self-determination of the small nation, the rights of the individual, the right of free speech, the right of a free press, the right of standing and disagreeing, and the right of assembly.

These are the things that we mean when we say democracy.

Since that time we have seen the situation that existed in Korea. We talked then as we talk today about getting to the negotiating table as though that were the panacea, the end of everything.

I assure the Senators that it was not. In Korea we had more casualties after we went to the negotiating table than we had before.

We still have no peace treaty in Korea. They still continue to meet and negotiate. It is a question of desire. It is a question of intent. It is a question of character. It is a question of basic policy and honesty and dishonesty.

Let us assume that our friends across the world, the Russians, want peace. We know that we in America want peace. Then, let us very simply say: "How do we achieve it?"

We achieve it by stopping the fighting. The quickest way to do that is to shut off the supplies. The day the North Vietnamese stop fighting, I assure Senators, the President of the United States will order the American troops and the South Vietnamese troops to stop fighting.

I do not think there is anyone in this Chamber who questions that statement in the slightest degree.

One of the ways to be certain that the fighting will stop is to make certain that the combatants cannot be resupplied. As the Senator from New Hampshire so eloquently pointed out, if the supplies from Communist Russia were stopped, the war in Vietnam would stop sooner, I believe, than in 2 weeks. I believe that the war would be over in a week, or perhaps in 2 days. Then, please God, we could bring our boys home and get them out of there.

Let us accomplish that. I believe that it is the duty of the Senate to advise the President of the United States, and I hope that we will advise him in our judgment and in our opinion, after due consideration, that this consular treaty, this convention, should not be properly entered into while there is a shooting war going on in which we are involved.

I believe that the reservation suggested by the Senator from South Dakota [Mr. MUNDT] should be included as a condition of this treaty. I truly believe that then this might bring about a cessation

of the fighting in Vietnam and a quicker, more practical, and more soundly based approach to peace, both temporary and permanent.

I thank the Senator.

The PRESIDING OFFICER (Mr. HOLMES in the chair). Who yields time?

Mr. MUNDT. Mr. President, I yield myself 3 minutes of our combined time, if I may, after which I believe we will be ready to yield back the remainder of the time and proceed with the vote.

First, I should like to salute the Senator from California for a most persuasive and a most moving argument in favor of this reservation.

Second, so that the record may be complete, I ask unanimous consent to have printed in the RECORD at this point a letter which I addressed to Secretary Rusk on February 7, and his reply, which I received on February 15, verifying the fact officially from the Department of State that these war supplies we have been discussing are actually going from Russia to Hanoi.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

FEBRUARY 7, 1967.

HON. DEAN RUSK,
Secretary of State,
Department of State,
Washington, D.C.

DEAR DEAN: In reading the January 30 issue of *U.S. News & World Report*, I was disturbed when I read the article entitled "Russia: The Enemy in Vietnam?"

In this article, which was evidently written by an editor of *U.S. News & World Report* stationed in Saigon, there are statements made to the effect that it is the Russians who are furnishing the needed materials to the North Vietnamese which makes it possible for them to continue their war effort. Therefore, I am enclosing a copy of the article with this letter and would appreciate having your comments on it and the questions which I am setting forth below.

1. Is it true as stated that "It is the Russians, however, who are furnishing the real sinews for major and prolonged war." I would like to have any comments you care to make with regard to this statement.

2. Is it true that "The Russians now are investing close to 1 billion dollars a year in the war." Is this a correct figure or is it more or is it less?

3. Is it true that "Most of the trucks that move the needed supplies from North to South Vietnam, for example, come from Russia or her satellites." If it is true, I would appreciate any documentary evidence or figures on truck supplies which you could provide me.

4. Is it true that "Many of the automatic weapons that we capture from North Vietnamese troops are of Russian manufacture." I would like to have any statement or documentary evidence that you would have on this allegation.

5. Is it true that "Most of our plane losses have resulted from the use of Soviet Russia's antiaircraft guns, missiles or MIG jet fighters."

6. Is it true that "Soviet aid to North Vietnam trickled along at an average yearly rate of 35 million dollars until early in 1965, when, even before U.S. began bombing in the North, the Russians started moving in a big way—with SAM antiaircraft missiles, jet fighters, military vehicles, oil, other paraphernalia of war."

7. Is the statement true that "Almost 1,000 SAM's have been fired at U.S. Planes. These Soviet Missiles, launched by Russian-trained crews, have themselves destroyed 30

U.S. planes and contributed in a large measure to an over-all loss in the North of more than 460 U.S. planes." If the figure is different and larger or perhaps less, I would appreciate having any information which you would provide me.

8. Is the statement true that "Cost to the Russians in spent missiles: about 25 million dollars. Cost to the U.S. in planes alone: more than 1 billion dollars."

9. Is the statement true "The North Vietnamese landscape is also studded with conventional antiaircraft positions, about 6,000 in all. The original antiaircraft system was installed by the Chinese. Now bigger guns are coming in. They are Russian." I would appreciate having any additional comments you would care to make about this statement.

10. Is the statement true that "The North Vietnamese Air Force now consists of 75 to 100 fighter planes and a handful of light bombers supplied by the Soviet Union. About one fifth of the force are the most up-to-date MIG-21s; the remainder, MIG-15s and MIG-17s. The MIG's are replaced by the Russians as they are lost in the fighting." I would appreciate having any information on this statement which might supplement it and give me up-to-date information on your estimate of what might be plane support or any kind to the North Vietnamese from the Soviet Union.

11. Is the statement true that "There are upward of 2,000 Russian technicians working at air bases and at SAM sites. North Vietnamese pilots are trained in Russia and supervised by Soviet fliers when they return to Hanoi."

12. Is the statement true that "Within the past few months, the Russians have taught North Vietnamese to man approximately 350 SAM missiles and an estimated 3,000 antiaircraft guns."

13. Would you please comment on the statement "For the first time, Soviet helicopters are being spotted in North Vietnam. Russian cargo aircraft are also making an appearance."

14. Please advise me as to whether or not it is true that "The North Vietnamese war machine runs almost entirely on Russian oil. In the past 18 months, the Russians shipped in 300,000 metric tons." The statement goes on, "Last month alone, the Soviets shipped nearly 25,000 metric tons of gasoline and oil into Haiphong." Since this article is January 30th, that must refer to the month of December, 1966.

15. The article states that "The Russians use ships to transport 80 percent of their aid to North Vietnam." It further states that "All told, the Russians are said to be delivering 80,000 tons of goods a month to Hanoi." Is this statement factual and I would appreciate having any comments on it.

16. The article states that "The Soviet ships going to Haiphong carry not only civilian goods, as the Reds insist, but jet aircraft, SAM's radar gear and antiaircraft guns." I would appreciate having your comments on this statement.

17. The article states that "Tonnage by sea from all sources—Russia, China, East Europe and non-Communist countries—was estimated at 2 million tons in 1966. Of that, the Russian share was estimated at half the total, Red China's about one fourth." I would appreciate any information which you could provide me as to the accuracy of that statement.

Thanking you for your kind consideration and assuring you I would appreciate hearing from you at your earliest convenience in response to the questions I have posed and any other comments which you might care to make about allegations and statements in this article, I am, with best wishes,

Cordially yours,

KARL E. MUNDT,
U.S. Senator.

S3856

CONGRESSIONAL RECORD — SENATE

March 15, 1967

DEPARTMENT OF STATE,
Washington.Hon. KARL E. MUNDT,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MUNDT: Secretary Rusk has asked me to reply to your letter of February 7 concerning the article in *US News & World Report* on "Russia: The Enemy in Vietnam?" which discusses the effect of Soviet aid in supporting the North Vietnamese war effort.

It is correct, as the *US News & World Report* article indicates, that the USSR has over the past several years supplied North Vietnam with a modern air defense system, as well as other military equipment. In addition, the USSR continues to send North Vietnam a wide range of industrial and economic aid, including petroleum and motor vehicles. Although most of the Soviet aid goes to North Vietnam by sea, all available information indicates that almost all of the major military equipment, such as air defense equipment, has been and is being sent by rail across the Chinese mainland.

Although I am unable to answer in detail in an unclassified letter the specific questions you have raised about the details of Soviet aid, I would be pleased to arrange an oral briefing for you on these subjects.

Please let me know if the Department can be of any further assistance to you.

Sincerely,

DOUGLAS MACARTHUR II,
Assistant Secretary for Congressional
Relations.

Mr. MUNDT. I also ask unanimous consent to have printed in the *RECORD* an article which appeared in today's *Washington Daily News*, "Red Rockets Hit Danang Air Base," because some colloquy occurred with respect to that matter earlier today, when the Senator from Texas [Mr. Tower] brought this new development to our attention.

There being no objection, the article was ordered to be printed in the *RECORD*, as follows:

RED ROCKETS HIT DA NANG AIR BASE—QUICK
RETTALIATION LIMITS DAMAGE

SAIGON, March 15.—Communist guerrillas bombarded the giant U.S. airbase at Da Nang with Russian-made rockets today. Virtually instant American retaliation chased away the Viet Cong and limited damage in the second assault on the post in 17 days.

U.S. spokesmen said the guerrillas fired 15 140-mm spin-stabilized rockets in 74 seconds from launch pads set in brush on the Yen River banks seven miles southwest of the base, the keystone of American air power in South Vietnam's northernmost sector.

The rockets caused 16 American injuries, damaged three planes including a jet taking off to bomb North Vietnam and ignited fuel, grass and electrical fires, spokesmen said. They credited the immediate counterattack by Marine artillery and gunships for cutting off the assault with damage far below that of Feb. 27 when 12 Americans were killed and 32 wounded in a guerrilla rocket raid on the base.

None of the Americans hurt today was seriously injured.

INACCURACY

The fact the communists fired from the launchers' maximum distance told in their inaccuracy. All the blasts hit the runway area, far from the crowded barracks sector of the base which launches air raids against North Vietnam and funnels U.S. troops in and out of South Vietnam.

Two rocket rounds were duds. The Viet Cong left behind 23 launchers on the river bank so quickly did the Leathernecks hit back.

Later Marine search parties reported finding 10 more rocket launchers and 11 rounds of ammunition. They said the Viet Cong staged the attack 2000 yards from the spot they used for their Feb. 27 attack on the base.

After sealing off the base, the Marines unleashed their artillery. Their AC-47 Dragonships hopped up and, using 135 flares to light up the pre-dawn sky, sprayed 55,700 rounds of Gatling-type minigun shells at the communist positions.

The "unknown sized" Viet Cong force fled for the hills to the southwest with the Leathernecks in pursuit, spokesmen said.

One American who had a close escape was Capt. Curtis D. Ritchie, 30, of Clintonville, Wis., and Merced, Calif., pilot of a F4C Phantom jet just taking off for North Vietnam.

"We had just started to roll when we saw the first blast," he said. The sixth round ripped one of the Air Force plane's engines. The seventh exploded beneath the plane.

CLOSE CALL

Capt. Ritchie and copilot 1st Lt. Kenneth M. Stalling Jr. of Olive Branch, Miss., managed to steer their flaming plane into a landing barrier and hopped out. Capt. Ritchie sprained his left arm. Ground crewmen disarmed the Phantom's six 500-pound bombs.

The jet and two other damaged craft will be fit to fly shortly, spokesmen said.

Meanwhile, American troops reported killing at least 58 communists in fights along the Cambodian border 225 miles northeast of Saigon the past two days. U.S. troops in the Central Highlands killed 21 communists yesterday in two actions.

Mr. MUNDT. I conclude my presentation in behalf of this reservation, Mr. President, by urging Senators to approve it. For the very reason that the supporters of this treaty use as their single, solitary argument in support of the treaty: protecting Americans—which we all wish to do, as the majority leader has rightly said, anywhere they are.

Some of us believe, as honestly as we stand on the floor of the Senate, that the best way to protect Americans in uniform in Vietnam is to do something to shorten the war and to do something by our votes today to decrease, if possible, the supply of murderous modern weapons flowing into the hands of the enemy from Russia, at the very time our country is increasingly supplying the capacity of the industrial machine in Russia to produce those weapons.

The Americans we should want to protect first and most are the 500,000 servicemen who are in Vietnam. And why do I believe that this reservation will help protect them? Because I believe it will have far more appeal as an argument to the Government in Russia if we present to them the fact that this treaty, before it can become operative, must have some affirmative action on their part to curb or curtail or eliminate the shipment of arms to North Vietnam. I do not know how badly the Russians want the treaty. Sometimes the Department of State says we are the ones who want it. The next moment they argue that the Russians want it and this is the way to win friends in Moscow. I will buy it either way for the sake of this argument but even our State Department cannot have it both ways.

I do, however, know something the Russians do want: They want the exports of American supplies which we now

are sending them. They need those supplies badly. We can thus argue with the Russians with a diplomatic tool. We would then have a compelling argument. We can say that this Consular Treaty cannot become operative and we, in good conscience, cannot continue to ship these supplies to Russia unless it curtails the huge shipments of war supplies it is sending to Hanoi. That kind of signal of peace from Moscow to Hanoi can end the war more quickly than any other signal that can be sent to Ho Chi Minh from any other capital of the world.

I plead with Senators, in their capacity to advise as well as to consent, to advise our Government that we would like it to make this effort at this time with the available tool which the adoption of this reservation would provide.

The PRESIDING OFFICER. The time of the Senator has expired.

VISIT TO THE SENATE BY THE
PRIME MINISTER AND OTHER OFFICIALS OF SOUTH KOREA

Mr. MANSFIELD. Mr. President, as in legislative session, I should like at this time ask unanimous consent that the Senate stand in recess, subject to the call of the Chair, for the purpose of receiving a distinguished visitor, the Prime Minister of South Korea. I make that motion.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana? The Chair hears none. The Senate will stand in recess, subject to the call of the Chair.

RECESS

Thereupon, at 4:05 o'clock p.m., the Senate took a recess subject to the call of the Chair.

During the recess of the Senate:

The VICE PRESIDENT. Members of the Senate, we are privileged today to have a most distinguished and welcome visitor from a great and friendly country.

I am happy and proud, on behalf of the U.S. Senate and our country, to present to the Members of the Senate and to our fellow citizens the Prime Minister of the Republic of Korea, Hon. Il Kwon Chung; the distinguished Ambassador of Korea, Mr. Hyun Chul Kim; the Minister of Commerce and Industry, Mr. Chung Hoon Park; the Principal Secretary to the Prime Minister, Mr. Sung Chul Hong; and our own Ambassador, James W. Symington.

[Applause, Senators rising.]

The Senate reconvened at 4 o'clock and 3 minutes p. m., when called to order by the Vice President.

APPOINTMENTS BY THE VICE
PRESIDENT

The VICE PRESIDENT. As in legislative session, pursuant to Public Law 86-42, the Chair appoints the following Senators to attend the 10th Canada-United States Interparliamentary Conference, to be held May 10-14, 1967, at Ottawa and Montreal, Canada: AIKEN (chairman), RUSSELL, MORSE, MANSFIELD, BYRNE of West Virginia, MONDALE, SPONG, MUNDT, JORDAN of Idaho, GRIFFIN, BROOKE, and HATFIELD.

March 15, 1967

CONGRESSIONAL RECORD — SENATE

S3857

The Chair also appoints Senators BUDICK and HRUSKA to attend the Stockholm Intellectual Property Conference, to be held at Stockholm, Sweden, June 12-July 14, 1967.

The Chair also appoints Senators RALPH YARBOROUGH and JACOB JAVITS to attend the 20th Assembly of the World Health Organization, to be held in Geneva, Switzerland, on May 8-27, 1967.

CONSULAR CONVENTION WITH THE SOVIET UNION

The Senate resumed the consideration of the Consular Convention between the United States of America and the Union of Soviet Socialist Republics, together with a protocol relating thereto, signed at Moscow on June 1, 1964 (Ex. D, 88th Cong., second sess.)

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The VICE PRESIDENT. Without objection, it is so ordered.

All time has expired and the question is on the adoption or rejection of Executive Reservation No. 2 proposed by the Senator from South Dakota [Mr. MUNDT] and other Senators.

The yeas and nays have been ordered and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LAUSCHE (when his name was called). Mr. President, on this vote I have a pair with the Senator from Nevada [Mr. CANNON]. If he were present he would vote "nay." If I were permitted to vote I would vote "yea." I, therefore, withhold my vote.

Mr. LONG of Louisiana. I announce that the Senator from Maryland [Mr. BREWSTER], the Senator from Connecticut [Mr. DODD], and the Senator from Arkansas [Mr. MCCLELLAN] are absent on official business.

I also announce that the Senator from Nevada [Mr. CANNON] is necessarily absent.

I further announce that, if present and voting, the Senator from Connecticut [Mr. DODD] would vote "yea."

On this vote, the Senator from Arkansas [Mr. MCCLELLAN] is paired with the Senator from Maryland [Mr. BREWSTER]. If present and voting, the Senator from Arkansas would vote "yea," and the Senator from Maryland would vote "nay."

Mr. KUCHEL. I announce that the Senator from Massachusetts [Mr. BROOKE] and the Senator from Pennsylvania [Mr. SCOTT] are absent on official business.

The Senator from Illinois [Mr. DIRKSEN] is absent because of illness.

If present and voting, the Senator from Massachusetts [Mr. BROOKE], the Senator from Illinois [Mr. DIRKSEN], and the Senator from Pennsylvania [Mr. SCOTT] would each vote "nay."

The result was announced—yeas 25, nays 67, as follows:

[No. 60 Ex.]

YEAS—25

Byrd, Va.	Hansen	Smith
Byrd, W. Va.	Hill	Stennis
Carlson	Hollings	Talmadge
Cotton	Hruska	Thurmond
Curtis	Jordan, Idaho	Tower
Eastland	Miller	Williams, Del.
Ervin	Mundt	Young, N. Dak.
Fannin	Murphy	
Gruening	Russell	

NAYS—67

Alken	Hatfield	Morse
Allott	Hayden	Morton
Anderson	Hickenlooper	Moss
Baker	Holland	Muskie
Bartlett	Inouye	Nelson
Bayh	Jackson	Pastore
Bennett	Javits	Pearson
Bible	Jordan, N.C.	Pell
Boggs	Kennedy, Mass.	Percy
Burdick	Kennedy, N.Y.	Prouty
Case	Kuchel	Proxmire
Church	Long, Mo.	Randolph
Clark	Long, La.	Ribicoff
Cooper	Magnuson	Smathers
Dominick	Mansfield	Sparkman
Ellender	McCarthy	Spong
Fong	McGee	Symington
Fulbright	McGovern	Tydings
Gore	McIntyre	Williams, N.J.
Griffin	Metcalf	Yarborough
Harris	Mondale	Young, Ohio
Hart	Monroney	
Hartke	Montoya	

NOT VOTING—8

Brewster	Dirksen	McClellan
Brooke	Dodd	Scott
Cannon	Lausche	

So Mr. MUNDT's executive reservation No. 2 was rejected.

UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, for the information of Senators, there will be a vote not later than 30 minutes from now. I ask unanimous consent that following the reservation of the distinguished Senator from Nebraska [Mr. CURTIS], there be a 10-minute allocation on the reservation to be offered by the distinguished Senator from South Carolina [Mr. THURMOND], this at his request, and that the time be equally divided between the chairman of the Foreign Relations Committee and the Senator from South Carolina.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

Under the previous unanimous-consent agreement, the clerk will read the executive reservation No. 3 of the Senator from Nebraska [Mr. CURTIS].

The LEGISLATIVE CLERK. Before the period at the end of the resolution of ratification insert a comma and the following: "subject to the reservation that no exchange of instruments of ratification of this convention shall be entered into on behalf of the United States, and the Convention shall not enter into force, until the President, after consultation with the Joint Chiefs of Staff, finds and reports to the Congress that the Soviet Union has ceased all military support and assistance of any kind, directly or indirectly, to North Vietnam."

Mr. CURTIS. Mr. President, for the benefit of all Senators, let me say that it is possible I will not use the entire 15 minutes at my disposal, realizing that Senators may have duties elsewhere. If this will help to arrange their schedules, I hope that it will.

Mr. President, I ask for the yeas and nays on my reservation No. 3.

The yeas and nays were ordered.

The VICE PRESIDENT. How much time is the Senator yielding himself?

Mr. CURTIS. Mr. President, I yield myself 7 minutes.

The VICE PRESIDENT. The Senator from Nebraska is recognized for 7 minutes.

Mr. CURTIS. Mr. President, this reservation speaks for itself. It lies on the desk of each Senator. I invite the attention of Senators to its language. It is simple; it is understandable. I believe that it will not in anyway interfere with the operation of the treaty once it becomes effective.

The reservation provides that the treaty shall not become effective until the President, after consultation with the Joint Chiefs of Staff, finds and reports to Congress that the Soviet Union has ceased all military support and assistance of any kind, directly or indirectly, to North Vietnam.

Mr. President, it would be my hope that this reservation will be adopted by the Senate. Without a doubt, the Senate is divided. There are some who believe that we should not trust the Soviet Union at all. There are others who believe that the treaty is worth while as a trial to see if somehow, somehow, the Soviet Union is softening up and that a gesture before the world that the United States is willing to deal with them would further the cause of peace.

Mr. President, certainly the objective of a foreign policy for our Nation is threefold: one, to protect the interests of the United States; two, to maintain the peace; and, three, to establish peaceful interchange and commerce. Within that purview, I have offered this reservation. The Vietnam war is serious. Boys from my State and your State are laying down their lives in Vietnam for their country. They are being destroyed and are losing their lives because the North Vietnamese are supplied with equipment and material and assistance from the Soviet Union. If the assistance from the Soviet Union to North Vietnam were stopped, the war would be over tomorrow.

I ask those of you who feel that we can trust the Soviet Union sufficiently to enter into this treaty to try this: Say to the world, "Yes, we will deal with the Soviet Union. We will grant them the statute of negotiating a convention with it, so that the world will believe we trust it, if the Soviet Union will stop supplying North Vietnam."

Someone may say, "How about the United States agreeing not to supply South Korea or some other country?"

I pointed out, it is not comparable at all. Where on the face of the globe is the United States supplying weapons that are used to kill Russian soldiers? We are not doing it. Russia is supplying materiel to kill American boys.

In the name of all our boys fighting in Vietnam, their parents and loved ones, I say let us use this opportunity to try to get the Soviet Union to cease supplying North Vietnam with materiel.

Mr. President, my reservation meets the objective of all members of this body. Whether we be classified as hawks or doves or as ideological birds somewhere

S3858

CONGRESSIONAL RECORD — SENATE

March 15, 1967

in between, we are all dedicated to an end of the conflict in Vietnam. We all seek for this Nation, and for our friends and allies in southeast Asia an honorable conclusion of the conflict and, following it, a right of self-determination for those nations. We want for them a climate wherein they can chart their national course as free men making those voluntary choices which will fashion for them a completely acceptable way of life.

It is, of course, our hope that they will remain free and independent nations—that they will choose that course which will let them flourish and progress in an enlightened manner. That they can use their resources to bring to their peoples the fruits of industry, of education, of health and sanitation, of a better way of life for their young people and for generations yet to be born.

We are a party to this conflict because of our dedication to these principles. We are making great and costly sacrifices for this principle. It is proposed to build bridges for free nations to live together, to work together, to trade and to live with dignity in the world community.

The PRESIDING OFFICER. The Senator's 7 minutes have expired.

Mr. CURTIS. I yield myself 4 additional minutes.

The PRESIDING OFFICER. The Senator is recognized for 4 additional minutes.

Mr. CURTIS. Let us not forget our purpose, this great burden of our involvement, this expenditure of men and material. Our purpose is to halt the encroachment and the extension of communism. Let us not forget that the quarrel within the Communist community today is for domination of southeast Asia. Whatever vacuum may have resulted from the internal troubles in China is fast being filled by a strong Russian move to dominate the Communist parties of southeast Asia. The Kremlin is no less conscious of China's stated purpose to dominate the nonwhite world than are we. Hence, it is the resources, the technology, and the manpower of the U.S.S.R. and her European satellites who are fueling the war machine of North Vietnam. It is proposed to build a bridge to Moscow. Moscow is building another bridge—from Moscow to southeast Asia. I see no essential difference in the domination of southeast Asia by Russian communism or by Chinese communism.

So I propose a reservation that is intensely practical—a reservation which puts us into the game with cards which the Kremlin can understand.

I propose to reserve a ratification of this treaty until such time that the President, in conjunction with our military leaders, can assure this nation that the Soviet Union has ceased all military support and related assistance of any kind, directly or indirectly, to North Vietnam. When this day comes the war will end. When this day comes, the nations of North and South Vietnam can get to the business of national government with full right of self determination. When this day comes, our allies in Thailand, in the Philippines, and even in Australia can free themselves of the specter of Communist encroachment.

My reservation will offend the sensibilities of some of my colleagues who want to see the dawning of sweetness and light, of civility and philanthropy in the Kremlin.

The PRESIDING OFFICER. The additional time of the Senator has expired.

Mr. CURTIS. I yield myself 1 minute more.

But it keeps faith with fact—with the fact that the munitions, the technical skills, and the supporting resources being transported into North Vietnam by the Kremlin are the sinews of North Vietnam's military machine.

Conversely, none of the manpower and the hardware of this Nation is today, or has been at any time, employed to kill or maim a single Russian. This is a fair request.

Let us accept the full weight of these facts as we vote on my reservation.

I urge the adoption of the reservation. I reserve the remainder of my time.

Mr. MILLER. Mr. President, will the Senator yield?

Mr. CURTIS. Briefly.

Mr. MILLER. Mr. President, I think the Senator from Nebraska knows that I am in sympathy with what I believe to be the basic intention behind his reservation. However, I point out that in preparing the reservation by the Senator from South Dakota and myself and others just voted on, we considered this aspect of Soviet assistance to North Vietnam, and we deliberately worded our provision to reflect the possibility that the Soviet Union might furnish military support and assistance to North Vietnam which would be intended and actually used only for its own defense, and would not be used for the prosecution of the war in South Vietnam.

The Senator's reservation is so broad that it would preclude the possibility of furnishing to North Vietnam, for example, some type of equipment that might be needed for its own defense, by its own militia.

Mr. CURTIS. It is sufficiently broad to end the war. On that I rest.

Mr. MILLER. Mr. President, I fully recognize that it would end the war, but I do not think we need go as far as to cover all military assistance. We need go only as far as to specify military assistance which is delaying the withdrawal of our troops from South Vietnam.

I would like to be able to support the Senator's reservation, but since it is more than broad enough to cover the problem, I feel that I cannot do so. I want the Senator to know that I am in sympathy with what he is trying to do.

Mr. CURTIS. Sympathy will not adopt the reservation. And I wish to say that I cannot follow the Senator's play on words. The fact remains that basing it upon the removal of troops would afford—while some situation might conceivably arise where troops would be necessary there—an end to the war.

The PRESIDING OFFICER. The Senator from Nebraska has only 1 minute remaining.

Mr. CURTIS. I repeat, the acceptance of the reservation would end the war.

Mr. FULBRIGHT. Mr. President, I yield 2 minutes to the Senator from Kentucky.

Mr. MORTON. Mr. President, if I felt that the Senator's reservation would end the war, I would vote for it in a minute, and so would every Member of this body. There is no question about that. But this convention has nothing to do with the war.

The Senator's reservation is far more restrictive, as the Senator from Iowa has pointed out, than the reservation upon which we just voted. It says "that the Soviet Union has ceased all military support and assistance of any kind, directly or indirectly, to North Vietnam."

The Senator from South Dakota stood here, just a few hours ago, and said that consumer goods, and even food, could be considered military assistance. This reservation implies that they have got to call off all shipments of food, clothing, or consumer goods, before the treaty can be ratified.

I think the Soviets would be within their rights to come back and say, "Then you cannot offer military aid to Iran and Turkey."

True, the Iranians and the Turks are not killing Russians today, but, by our assistance, we are forcing the Russians to keep a strong counterforce at hand. The reason that we have built those forces up is to stop communistic aggression, and moves in that direction.

I trust that the Senator's reservation will be defeated; and I am sure it will be, because it certainly goes much farther than the one on which we have just voted.

The PRESIDING OFFICER. Who yields time?

Mr. FULBRIGHT. I yield 2 minutes to the Senator from Montana.

Mr. MANSFIELD. Mr. President, it has been a long time since I have seen a reservation of this nature—if I ever have—proposed to a treaty.

I would call attention to lines 5, 6, and 7:

The Convention shall not enter into force, until the President, after consultation with the Joint Chiefs of Staff—

What kind of government is this, civilian or military? The Senator from Nebraska stated that "This reservation may offend the sensibilities of some of my colleagues." Mr. President, it offends my sensibilities; because when the day comes that the Joint Chiefs of Staff must advise any President as to what he shall or shall not do on a civilian question, on that day I am walking out of this body.

Mr. President, I hope the reservation will be defeated.

Mr. FULBRIGHT. Mr. President, I yield myself 2 minutes.

I do not think there is much to be added to what has been said. This reservation is very similar to the last reservation, which has just been defeated, although it is somewhat more restrictive. I do not see any necessity to repeat what has already been said, and what the Senate has accomplished in its vote of a few minutes ago. I can only repeat that this convention is not the proper vehicle for trying to bring pressure upon the Soviets. All of us would

March 15, 1967

CONGRESSIONAL RECORD — SENATE

S 3859

like to achieve the purpose of stopping the war in South Vietnam, but this is not the proper way to go about it.

Mr. President, I am prepared to yield back the remainder of my time.

The PRESIDING OFFICER. All remaining time having been yielded back—

Mr. CURTIS. Mr. President, who yielded back my time?

The PRESIDING OFFICER. The Senator from Nebraska has 1 minute remaining. The Chair tried to call the Senator's attention to it. The Chair will grant the Senator from Nebraska 1 minute. The Senator from Nebraska is recognized.

Mr. CURTIS. Very well. I did not realize that I had yielded my time for the distinguished Senator from Iowa to speak.

Mr. MANSFIELD. If the Senator wants more time, of course we will give it to him.

The PRESIDING OFFICER. How much time does the Senator desire?

Mr. CURTIS. I will take the 1 minute.

The PRESIDING OFFICER. The Senator from Nebraska is recognized for 1 minute.

Mr. CURTIS. The fact remains, Mr. President, that we are about to put the stamp of approval upon the Soviet Union as a respectable Government that we can trust in a treaty, without asking them to quit supplying the guns and the instruments of death that are killing American boys. Explain it away any way you want to, that is the fact.

My reservation does not call for the Joint Chiefs of Staff to make decisions; they are merely to make a finding as to whose weapons our boys are facing. Then the President makes the decision.

I think the reservation is well understood.

The PRESIDING OFFICER. All remaining time having been yielded back, the question is on agreeing to the reservation of the Senator from Nebraska to the resolution of ratification.

On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Maryland [Mr. BREWSTER] and the Senator from Connecticut [Mr. DODD] are absent on official business.

I also announce that the Senator from Nevada [Mr. CANNON], the Senator from Louisiana [Mr. LONG], and the Senator from Florida [Mr. SMATHERS] are necessarily absent.

I further announce that, if present and voting, the Senator from Maryland [Mr. BREWSTER] and the Senator from Nevada [Mr. CANNON] would each vote "nay."

On this vote, the Senator from Connecticut [Mr. DODD] is paired with the Senator from Louisiana [Mr. LONG]. If present and voting, the Senator from Connecticut would vote "yea" and the Senator from Louisiana would vote "nay."

Mr. KUCHEL. I announce that the Senator from Massachusetts [Mr. BROOKE] and the Senator from Pennsyl-

vania [Mr. SCOTT] are absent on official business.

The Senator from Illinois [Mr. DIRKSEN] is absent because of illness.

The Senator from New York [Mr. JAVITS] is detained on official business.

If present and voting, the Senator from Massachusetts [Mr. BROOKE], the Senator from Illinois [Mr. DIRKSEN], the Senator from New York [Mr. JAVITS], and the Senator from Pennsylvania [Mr. SCOTT] would each vote "nay."

The result was announced—yeas 20, nays 71, as follows:

[No. 61 Ex.]

YEAS—20

Byrd, Va.	Hill	Stennis
Cotton	Hollings	Talmadge
Curtis	Hruska	Thurmond
Eastland	McClellan	Tower
Ervin	Mundt	Williams, Del.
Fannin	Murphy	Young, N. Dak.
Hansen	Russell	

NAYS—71

Alken	Hart	Monroney
Allott	Hartke	Montoya
Anderson	Hatfield	Morse
Baker	Hayden	Morton
Bartlett	Hickenlooper	Moss
Bayh	Holland	Muskie
Bennett	Inouye	Nelson
Bible	Jackson	Pastore
Boggs	Jordan, N.C.	Pearson
Burdick	Jordan, Idaho	Pell
Byrd, W. Va.	Kennedy, Mass.	Percy
Carlson	Kennedy, N.Y.	Proxmire
Case	Kuchel	Proxmire
Church	Lausche	Randolph
Clark	Long, Mo.	Ribicoff
Cooper	Magnuson	Smith
Dominick	Mansfield	Sparkman
Ellender	McCarthy	Spong
Fong	McGee	Symington
Fulbright	McGovern	Tydings
Gore	McIntyre	Williams, N.J.
Griffin	Metcalf	Yarborough
Gruening	Miller	Young, Ohio
Harris	Mondale	

NOT VOTING—9

Brewster	Dirksen	Long, La.
Brooke	Dodd	Scott
Cannon	Javits	Smathers

So Mr. CURTIS' executive reservation No. 3 was rejected.

Mr. THURMOND. Mr. President, I send to the desk a reservation and ask that it be stated.

The PRESIDING OFFICER. The reservation will be stated.

The assistant legislative clerk read as follows:

Before the period at the end of the resolution of ratification insert a comma add the following: "Subject to the reservation that nothing in this Convention shall be construed as in any way diminishing, abridging, or weakening the right of the United States to safeguard its own security."

Mr. THURMOND. Mr. President, it will not take more than 3 minutes to present my side of the reservation.

Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. THURMOND. Mr. President, when Congress, 20 years ago, approved a joint resolution authorizing the so-called headquarters agreement with the United Nations, granting certain rights, privileges and immunities to the United Nations and its personnel, both Houses of the Congress approved a reservation which was designed to protect and preserve the immigration and internal security laws of the United States.

The language of this reservation was short and to the point. It reads:

Nothing in this agreement shall be construed as in any way, diminishing, abridging, or weakening the right of the United States to safeguard its own security.

Mr. President, both Houses of the Congress thought that reservation necessary for the protection of the internal security of this country in connection with a grant of privileges and immunities to the United Nations and its quasi-diplomatic personnel. I say to my colleagues, nothing less can be considered as an effective safeguard of our internal security laws in connection with the grants of privileges and immunities which are embodied in the consular convention with the Soviet Union, now before the Senate.

Accordingly, I am proposing a reservation to the pending resolution of ratification which shall be in the same words which both Houses of the Congress approved in the joint resolution authorizing the so-called United Nations Headquarters agreement.

I therefore formally propose that the resolution of ratification of the Consular Convention between the United States of America and the Union of Soviet Socialist Republics, together with a protocol relating thereto, signed at Moscow on June 1, 1964, be amended by inserting, immediately preceding the period at the end of such resolution, a comma and the following: "subject to the reservation that nothing in this convention shall be construed as in any way diminishing, abridging, or weakening the right of the United States to safeguard its own security."

Mr. MANSFIELD. I yield 2 minutes to myself.

Mr. President, what the distinguished Senator from South Carolina refers to is an agreement with the United Nations, a multilateral agreement. This is a bilateral agreement, worked out between the representatives of two nations.

Nothing—nothing, I repeat—in the pending convention diminishes in any way, abridges in any way, or weakens in any way the right of the United States to safeguard its own security. That fact is apparent on the face of it.

Therefore, I urge the Senate to reject this reservation, and I yield back the remainder of my time.

Mr. THURMOND. I yield back the remainder of my time.

The PRESIDING OFFICER. All time has been yielded back. The question is on agreeing to the reservation. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Maryland [Mr. BREWSTER] and the Senator from Connecticut [Mr. DODD] are absent on official business.

I further announce that the Senator from Nevada [Mr. CANNON] and the Senator from Louisiana [Mr. LONG] are necessarily absent.

I further announce that, if present and voting, the Senator from Maryland [Mr. BREWSTER] and the Senator from Nevada [Mr. CANNON] would each vote "nay."

S 3860

CONGRESSIONAL RECORD — SENATE

March 15, 1967

On this vote, the Senator from Connecticut [Mr. DODD] is paired with the Senator from Louisiana [Mr. LONG]. If present and voting, the Senator from Connecticut would vote "yea," and the Senator from Louisiana would vote "nay."

Mr. KUCHEL. I announce that the Senator from Massachusetts [Mr. BROOKE] and the Senator from Pennsylvania [Mr. SCOTT] are absent on official business.

The Senator from Illinois [Mr. DIRKSEN] is absent because of illness.

The Senator from New York [Mr. JAVITS] is detained on official business.

If present and voting, the Senator from Massachusetts [Mr. BROOKE], the Senator from Illinois [Mr. DIRKSEN], the Senator from New York [Mr. JAVITS], and the Senator from Pennsylvania [Mr. SCOTT] would each vote "nay."

The result was announced—yeas 24, nays 68, as follows:

[No. 62 Ex.]

YEAS—24

Aillott	Griffin	Mundt
Byrd, Va.	Hansen	Murphy
Cotton	Hill	Russell
Curtis	Holland	Stennis
Dominick	Hollings	Talmadge
Eastland	Hruska	Thurmond
Ervin	Jordan, Idaho	Tower
Fannin	McClellan	Young, N. Dak.

NAYS—68

Alben	Hatfield	Morton
Anderson	Hayden	Moss
Baker	Hickenlooper	Muskie
Bartlett	Inouye	Nelson
Bavh	Jackson	Pastore
Bennett	Jordan, N.C.	Pearson
Bible	Kennedy, Mass.	Pell
Bozys	Kennedy, N.Y.	Percy
Burdick	Kuchel	Proxmire
Byrd, W. Va.	Lausche	Randolph
Carlson	Long, Mo.	Ribicoff
Care	Magnuson	Smathers
Church	Mansfield	Smith
Clark	McCarthy	Sparkman
Cooper	McGee	Spong
Ellender	McGovern	Symington
Fong	McIntyre	Tydings
Fulbright	Metcalf	Williams, N.J.
Gore	Miller	Williams, Del.
Gruening	Mondale	Yarborough
Harris	Monroney	Young, Ohio
Hart	Montoya	
Hartke	Morse	

NOT VOTING—8

Brewster	Dirksen	Long, La.
Brooke	Dodd	Scott
Cannon	Javits	

So Mr. THURMOND's executive reservation No. 4 was rejected.

Mrs. SMITH obtained the floor.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mrs. SMITH. I am happy to yield to the majority leader.

Mr. MANSFIELD. Mr. President the distinguished senior Senator from South Dakota and I indicated to the distinguished senior Senator from Maine that her proposal would be the last to be considered, although we were not empowered to undertake such a commitment for the entire Senate.

In line with that statement, I ask whether there are any more reservations, understandings, or any other proposals to be offered by any Senator to the pending convention.

If not, I would assume that our commitment has been honored, that this will be the last proposal to be considered prior

to the disposition of the resolution of ratification to the convention.

Before the Senator from Maine offers her understanding and with the approval of the Senate, I would like to make a unanimous-consent request.

I believe, Mr. President, that we already have an agreement to come in at 10 o'clock tomorrow.

The PRESIDING OFFICER. The Senator is correct.

ORDER FOR VOTE ON CONVENTION NOT LATER THAN 3 P.M. TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate vote on the pending convention not later than 4 o'clock tomorrow afternoon.

Mr. HOLLAND and Mr. McCLELLAN addressed the Chair.

The PRESIDING OFFICER. The Senator from Florida is recognized.

Mr. HOLLAND. Mr. President, what is the time allotted by unanimous consent to the distinguished Senator from Maine for consideration of her understanding?

Mr. MANSFIELD. The time allotted for debate is 1 hour, to be equally divided, but all of that time will not be used because we can complete our presentation on this side in less than 10 minutes, and I am sure that the Senator from Maine can make her presentation in less than 15 minutes.

Mr. President, I wish to change the unanimous-consent agreement.

ORDER FOR CONVENING AT 9 A.M. TOMORROW

Mr. President, I ask unanimous consent that when the Senate completes its business this afternoon, it stand in adjournment until 9 o'clock tomorrow morning, and vote on the consular treaty not later than 3 o'clock tomorrow afternoon.

The PRESIDING OFFICER. Is there objection?

Mr. MUNDT. Mr. President, will the Senator yield?

The PRESIDING OFFICER. The Senator from South Dakota is recognized for the purpose of asking a question.

Mr. MUNDT. Mr. President, I understand the proposal has now been revised to provide that we shall convene at 9 o'clock tomorrow morning.

Mr. MANSFIELD. We shall vote on the Smith proposal tonight.

Mr. SPARKMAN. Has there been a request for the yeas and nays?

Mr. MANSFIELD. The Senator from Maine is going to ask for the yeas and nays.

Mr. MUNDT. That would give us from 9 o'clock until 3 o'clock tomorrow afternoon on the convention.

Mr. MANSFIELD. Not later than 3 o'clock.

Mr. MUNDT. Which would be 6 hours.

Mr. MANSFIELD. The Senator is correct.

Mr. MUNDT. I have no objection.

The PRESIDING OFFICER. Does the Senator from Montana desire to suggest a division of the time?

Mr. MANSFIELD. I thank the Chair. The time is to be under the control of the distinguished Senator from South Dakota [Mr. MUNDT] and the distinguished Senator from Arkansas, the

chairman of the Committee on Foreign Relations [Mr. FULBRIGHT].

Mr. MUNDT. Mr. President, the Senate should be advised that the matter might not run until 3 o'clock. They should be advised of the possibility of an earlier vote. The Senator from Montana had said the vote would be not later than 3 o'clock.

The PRESIDING OFFICER. Without objection, it is so ordered.

The unanimous-consent agreement, subsequently reduced to writing, is as follows:

Ordered. That the Senate vote not later than 3:00 p.m. on Thursday, March 16, 1967, on the resolution of ratification of the treaty Executive D, 88th Congress, second session, a consular convention with the Union of Soviet Socialist Republics, with the debate to be equally divided and controlled by the Senator from Arkansas [Mr. FULBRIGHT] and the Senator from South Dakota [Mr. MUNDT].

Mr. HOLLAND and Mrs. SMITH addressed the Chair.

Mr. MANSFIELD. Mr. President, may we have order.

The PRESIDING OFFICER. The Senator from Maine [Mrs. SMITH] has the floor.

Mr. HOLLAND. Mr. President, will the Senator from Maine yield to me in order that I may propound a question?

Mrs. SMITH. I yield.

Mr. HOLLAND. Mr. President, I wish to find out whether or not the time after the vote on the understanding of the distinguished Senator from Maine is controlled and, if so, by whom? I shall need about 20 minutes in opposition to the convention.

Mr. MANSFIELD. Tonight?

Mr. HOLLAND. No.

Mr. MANSFIELD. The time for the debate on the convention will be controlled by the Senator from Arkansas [Mr. FULBRIGHT] and the Senator from South Dakota [Mr. MUNDT], equally. There will be 6 hours altogether beginning at 9 o'clock tomorrow morning.

Mr. HOLLAND. I thank the Senator. The PRESIDING OFFICER. The Senator from Maine is recognized.

Mr. STENNIS. Mr. President, will the Chair make a special effort to have order?

The PRESIDING OFFICER. The Senate will be in order. Let us have order in the Chamber, so that we can hear the Senator from Maine.

Mr. STENNIS. Mr. President, let us have a great deal of order.

EXECUTIVE UNDERSTANDING NO. 1

Mrs. SMITH. Mr. President, I call up my executive understanding No. 1, and ask that it be stated.

The PRESIDING OFFICER. The proposed executive understanding No. 1 will be stated.

The assistant legislative clerk read as follows:

After the period at the end of the resolution of ratification add a new sentence as follows: "In giving its advice and consent to the ratification of this Convention, the Senate expresses its hope that before the United States consents to the opening by the Soviet Union of any consular establishment in the United States, an honorable conclusion will

March 15, 1967

CONGRESSIONAL RECORD — SENATE

S3861

be achieved in the Vietnam conflict, whereby United States military forces will no longer be needed to perform combat duties in the defense of South Vietnam."

Mrs. SMITH. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mrs. SMITH. Mr. President, I have proposed this understanding because I believe that many Members of the Senate are deeply concerned about the making of a treaty with a country that is providing the real backbone of the materiel and equipment for the aggressor North Vietnam and Vietcong forces that are killing American servicemen in Vietnam.

I believe that many Members of the Senate do not wish to kill the proposed Consular Treaty with Russia even though they are deeply concerned about the fact that Russia is providing the materiel, and equipment that is being used not only to kill American servicemen but also greatly bolsters the refusal of North Vietnam to respond to the offers of the President of the United States for a peaceful negotiation of the end of the war in Vietnam.

This understanding provides an opportunity for the Members of the Senate to express themselves clearly on this point.

Let me stress that the understanding would not in any manner alter the Consular Treaty. It is not an amendment to the Consular Treaty. Consequently, its adoption would not necessitate a renegotiation of the treaty.

It is simply an amendment to the resolution of ratification—not an amendment to the Consular Treaty itself.

It is offered in the same spirit and manner, and for the same effect, as the Mansfield amendment to the 1967 military supplemental procurement bill, which was adopted on March 1, 1967, by a vote of 89 to 2.

The Mansfield amendment expressed congressional policy and in no manner affected the provision of the 1967 military supplemental procurement bill.

The Smith understanding proposes to express a sense and feeling by the Senate and in no manner will affect the status and terms of the Consular Treaty.

The Mansfield amendment was an expression of support for all efforts to an honorable negotiated peaceful settlement of the Vietnam war.

The Smith understanding is an expression of hope that before any Soviet Union consulate is opened in the United States there will be an end of the fighting in Vietnam.

I urge the Senate to adopt this understanding.

Mr. FULBRIGHT. Mr. President, I yield myself 5 minutes.

The PRESIDING OFFICER. The Senator from Arkansas is recognized for 5 minutes.

Mr. FULBRIGHT. Mr. President, I believe that the Senator from Maine [Mrs. SMITH], the proposer of this understanding, is quite correct in saying that it does not try substantively to affect the consular agreement itself. What the language of the reservation does do, though, is to contain an implication which, in my opinion, could well be understood by the Russians, the other party to this treaty, to mean that they

are solely responsible, or primarily responsible, for continuing the war in Vietnam.

The substance of the two reservations proposed by the Senator from South Dakota also tried to bring in the Vietnamese war and to suggest that his reservations could, if approved, bring pressure on the Soviet Union to do something about stopping the war in Vietnam.

I do not think that this treaty is a proper vehicle for seeking this ultimate purpose. It is true that an understanding does not require that the treaty be renegotiated. The effect of adoption of this understanding could be, however, if the Soviets interpret it, as I think they well might, as an admission on their part that they are responsible for continuing the war in Vietnam, a decision not to accept the implication. They would, therefore, simply refuse to ratify the treaty. It seems to me that they might be justified in taking such an attitude.

The subject of this understanding is irrelevant to the substance of the treaty.

I agree with the Senator from Maine, as I am sure all my colleagues do, that we would like to see an end to the war in South Vietnam. It has been announced recently in many statements, from various sources, that the Soviets too are interested in ending the war. One such statement was issued by their Premier, Mr. Kosygin, and also President Podgorny, saying that if we stopped the bombing, they believed that North Vietnam would be willing to negotiate. But aside from that, I know that the Russians would not admit they are responsible for the continuing war in Vietnam. Many people believe that they are interested in ending it, because they recognize the danger of any escalation.

I believe it would be very unfortunate to try to attach this understanding to our instrument of ratification.

I should like to yield to the majority leader because he has a letter from the Secretary of State addressed to him yesterday which elucidates, in the opinion of the State Department, the effect of this understanding. However, having voted as we have on the last three reservations, clearly evidencing a desire, I think, on the part of the Senate not to reject the treaty, to attach this understanding now, an understanding which could provide an excuse for the Soviets to decline to go forward with the treaty, would be most unfortunate. The Senate will have marched up the hill briskly, only to march down on the other side.

Mr. President, I reserve the remainder of my time.

I should like to ask that the Senator from Indiana may proceed for 5 minutes.

The PRESIDING OFFICER. The Senator from Indiana is recognized for 5 minutes.

Mr. HARTKE. Mr. President, the American people are confused. It is quite easy to understand why there is such confusion.

It is the official position of the administration that we are fighting in Vietnam to resist Communist aggression from the north. The Russians, among other Communists, are supplying weapons and ammunition to North Vietnam for use against Americans.

At the same time, the administration is attempting to bridge the cold war gap with the Communists. One of these proposed bridges is the Consular Convention to which the Senate is now being asked to give its consent.

To the average American, this is inconsistency.

I believe that the understanding proposed by the senior Senator from Maine [Mrs. SMITH] brings some measure of consistency that can be wholly and completely understood by the American public. It provides quite simply that the Senate hopes that our Government will wait until combat is finished in Vietnam before it allows the Soviet Government to open any consulates in the United States.

This clearly recognizes, then, that the Russians have an involvement in Vietnam. While this involvement is one only of materiel, its involvement is contrary to ours.

Yet, the Smith understanding does not prevent us from extending the hand of friendship in our own best interest.

Mr. President, I wish to emphasize that I support the Consular Convention and shall vote for its ratification because I believe it to be to our advantage. Of course, there is an advantage to the Soviet Union also. If there were not an advantage to them, their Government would be remiss to negotiate such an agreement.

The Consular Convention contains major concessions to our benefit. For one thing, the American tourists traveling in Russia will have protection in the event of arrest that would be somewhat similar to the rights of every American citizen and that are not now extended even to Russian citizens in their country. Americans would be assured that our Government representatives would be notified immediately and have the right to visit any American held in jail. These are new safeguards and benefits for Americans.

Our national interests will be forwarded by our new business office in the Soviet Union should these later be opened. Since 1964, France, Finland, Great Britain, Japan, and Italy have concluded similar consular conventions with Russia.

As to any danger to the United States from additional Soviet diplomats coming over here, I should like to clarify what this treaty does and does not do. It does not authorize any new consulate here or in the Soviet Union. It does not authorize any additional diplomats.

Any incoming diplomat can be screened or rejected now and this convention would not alter this situation one iota. The distinguished Director of the Federal Bureau of Investigation, Mr. Hoover, has assured the President that his organization can handle any increased security threat that might be posed by any future opening of consulates in this country. Should any consulate be opened and pose a security threat, it could, of course, be closed down at once and the agreement ended.

I believe that the benefits to be derived by our Government for the protection of Americans traveling abroad are important. I believe that there are other

S 3862

CONGRESSIONAL RECORD — SENATE

March 15, 1967

obvious concrete benefits to us. I believe that we would at once demonstrate, in addition, our willingness to bridge the cold war gap. This is important to our long-term goal of peace.

In my view, then, the convention should be adopted and the senior Senator from Indiana will support it with his vote. To be consistent with our apparent position in Vietnam, the Smith understanding should also be adopted and the senior Senator from Indiana will cast his vote for that.

Since we here in the Senate clearly recognize that there is confusion among the people as to our goals by the apparent conflict between our course in Vietnam and our course in diplomacy and trade as exemplified by this convention, we should not leave both dangling with our disposition of the pending business.

On the contrary, Mr. President, disposition by this body of the Consular Convention gives new reason for a complete reappraisal of our national interests and our national goals and how these are being met.

It is, indeed, past time that our Government, through the administration and the Congress, reexamine our posture in Vietnam, in diplomacy, in our dealings with the Communist world and the free world. A clear, concise statement of our policy in these matters is overdue. It should now logically follow so that some of the confusion in the minds of Americans would be erased and new understanding and support substituted.

Mr. President, for that reason, I intend to support the understanding of the Senator from Maine.

Mr. AIKEN. Mr. President, will the distinguished Senator from Maine yield to me to ask her a question?

Mrs. SMITH. I am very pleased to yield to the Senator from Vermont for that purpose.

Mr. AIKEN. Am I correctly informed that an organization known as the Liberty Lobby has taken a rather derogatory and adverse attitude toward the understanding proposed by the Senator from Maine?

Mrs. SMITH. Yes, the Senator is correct.

Mr. AIKEN. I received a document from them this morning indicating that they thought very, very little of the Senator's proposal. I have not heard directly from the State Department, but does the Senator from Maine understand that the State Department also indicates an adverse and rather derogatory attitude towards her understanding?

Mrs. SMITH. That is my understanding.

Mr. AIKEN. Then may I ask the Senator my question: What miraculous powers does the Senator from Maine possess that teams the Liberty Lobby and the State Department in double harness? [Laughter.]

Mrs. SMITH. Mr. President I thank the distinguished Senator from Vermont for his comments. I wish I could answer his question.

Mr. FULBRIGHT. Mr. President, I yield 5 minutes to the Senator from Montana.

The PRESIDING OFFICER. The Senator from Montana is recognized for 5 minutes.

Mr. MANSFIELD. Mr. President, we are facing the last and most difficult step before the Senate proceeds to the issue of voting the pending convention up or down.

It is no easy task for anyone to go up against the distinguished senior Senator from Maine (Mrs. SMITH). It is no easy task when she is buttressed by the utterances of the ranking Republican Member of this body, the distinguished Senator from Vermont (Mr. AIKEN).

It is no easy task when a private group and the State Department seem to combine for the purpose of opposing the distinguished Senator's proposal. But those are things we face in this body, and as one among my peers, I place myself in the position of standing in opposition to the understanding being proposed by the distinguished Senator from Maine.

May I say to my good friend from South Dakota (Mr. MUNDT), in response to another inquiry I have another letter from the Secretary of State relative to the proposal now before this body. The letter is dated March 14, and reads as follows:

DEAR MR. MANSFIELD: I would like to comment on the "understanding" which I understand is proposed for incorporation in the Senate's Resolution of Ratification of the US-USSR Consular Convention. This expresses the hope of the Senate "that before the United States consents to the opening by the Soviet Union of any Consulate establishment in the United States, an honorable conclusion will be achieved in the Viet-Nam conflict, whereby the United States Military Forces will no longer be needed to perform combat duties in the defense of South Viet-Nam".

I appreciate the sentiments which prompted this proposal, but I believe that practical and policy considerations argue strongly against its approval.

As I have pointed out before, our national interest requires the earliest possible entry into force of this treaty. We need the protections it provides for American citizens—now. Any "understanding", reservation or amendment could easily kill it.

It has been stated that this "understanding" has no legal effect, since it is neither a formal reservation nor an amendment, and accordingly the Soviet Union would have no reason to fail to ratify the Consular Convention. The fact is that the Soviet Union is carefully following the action of the Senate on this Convention. The Soviet Government would, of course, know about the "understanding". While we cannot predict with certainty their reaction, I do not feel we can afford to take action jeopardizing the earliest possible entry into force of the Convention.

The purpose of this "understanding" is to delay the opening of a Soviet Consulate in the United States. I have already given assurances that we have not agreed upon the reciprocal opening of consulates with the Soviet Government, that we have no plans at present to do so and that we would consult with the Senate Foreign Relations Committee, the Senate Leadership on both sides of the aisle, and other interested Senators before proposing any discussions with the Soviet Government. In these consultations not only Viet-Nam but all other relevant aspects of the international situation would be considered. Should it be decided that the exchange of consulates was in the national interest, we would seek the advice

of municipal officials of any city under discussion as a possible site for a Soviet Consulate.

I believe that these assurances go further than the proposed "understanding", and that they also avoid the danger of killing the treaty through attaching "understandings" to it.

I hope that after full consideration of this "understanding" the Senate will conclude, as I have, that it is not necessary in view of the assurances already given, and that it is undesirable in view of the danger that, like any reservation or understanding it could kill the treaty.

Sincerely,

DEAN RUSK.

There is nothing more I can say.

Mr. MUNDT. Mr. President, will the Senator yield me 2 minutes?

Mrs. SMITH. I am glad to yield 2 minutes to the Senator from South Dakota.

Mr. MUNDT. Since the distinguished majority leader alluded to letter No. 6—

Mr. MANSFIELD. No. 3.

Mr. MUNDT. I thought it was six. Whatever it is, the Secretary of State certainly has a right to express himself. I am glad he did. But I rose primarily to congratulate the Senator from Maine for offering yet another version of an approach whereby the Senate may now exercise its constitutional right of advice, because this right is tremendously important. The so-called Mundt reservation, and the Curtis reservation together with the Smith reservation of understanding, or resolution of understanding, are all part of the fabric of whether or not the Senate wants to exercise its opportunity now, by one device or another to exercise its constitutional right of advice and to let our allies, and the American people, the Communist world and this administration know that we expect some effort to be made to slow down the steady and growing shipments of supplies by the Russians to North Vietnam.

I admire the Secretary of State, but I do not agree with his position that with the adoption of the Smith understanding the Soviets are not going to like it and they are going to raise their voices in dissent. I hope this Senate is not going to be influenced by Soviet reactions or that direct or indirect Soviet lobbying is not in any way involved in the bridge building that we may engage in. I hope this Senate will act on the basis of whether the treaty is good or not, whether it is good for America, and whether whatever decision we make is good for our boys overseas and its impact on the war and not be influenced by a Soviet smile or a scowl when they read about it in the newspaper the next day. I urge Senate support of the resolution offered by Senator SMITH.

Mr. HOLLAND. Mr. President, will the Senator from Maine yield to me briefly?

Mrs. SMITH. Yes.

Mr. HOLLAND. Mr. President, I have heard with a great deal of interest and much respect the letter from the Secretary of State. I have high respect for him. He knows that, as I think Senators generally know the same thing. I have